

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 as  
6 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 third ~~first~~  
10 Wednesday in March in 2009 ~~2007~~ (March 18 ~~7~~, 2009 ~~2007~~) and the  
11 third Wednesday in February of each year beginning in 2010  
12 ~~2008~~, except as otherwise provided in this Section, submit a  
13 State budget, embracing therein the amounts recommended by the  
14 Governor to be appropriated to the respective departments,  
15 offices, and institutions, and for all other public purposes,  
16 the estimated revenues from taxation, the estimated revenues  
17 from sources other than taxation, and an estimate of the amount  
18 required to be raised by taxation. ~~In 2004 only, the Governor~~  
19 ~~shall submit the capital development section of the State~~  
20 ~~budget not later than the fourth Tuesday of March (March 23,~~  
21 ~~2004).~~ The amounts recommended by the Governor for  
22 appropriation to the respective departments, offices and  
23 institutions shall be formulated according to the various

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

9 The Governor shall not propose expenditures and the General  
10 Assembly shall not enact appropriations that exceed the  
11 resources estimated to be available, as provided in this  
12 Section.

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

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

24 These funds shall be known as the "budgeted funds". The  
25 revenue estimates used in the State budget for the budgeted  
26 funds shall include the estimated beginning fund balance, plus

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

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

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

25 By March 15 of each year, the Commission on Government  
26 Forecasting and Accountability shall prepare revenue and fund

1 transfer estimates in accordance with the requirements of this  
2 Section and report those estimates to the General Assembly and  
3 the Governor.

4 For all funds other than the budgeted funds, the proposed  
5 expenditures shall not exceed funds estimated to be available  
6 for the fiscal year as shown in the budget. Appropriation for a  
7 fiscal year shall not exceed funds estimated by the General  
8 Assembly to be available during that year.

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

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.