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 8h as follows:

6   (30 ILCS 105/8h)

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

8   (a) Except as otherwise provided in this Section and

9   Section 8n of this Act, and notwithstanding any other State law

10   to the contrary, the Governor may, through June 30, 2007, from

11   time to time direct the State Treasurer and Comptroller to

12   transfer a specified sum from any fund held by the State

13   Treasurer to the General Revenue Fund in order to help defray

14   the State's operating costs for the fiscal year. The total

15   transfer under this Section from any fund in any fiscal year

16   shall not exceed the lesser of (i) 8% of the revenues to be

17   deposited into the fund during that fiscal year or (ii) an

18   amount that leaves a remaining fund balance of 25% of the July

19   1 fund balance of that fiscal year. In fiscal year 2005 only,

20   prior to calculating the July 1, 2004 final balances, the

21   Governor may calculate and direct the State Treasurer with the

22   Comptroller to transfer additional amounts determined by

23   applying the formula authorized in Public Act 93-839 to the

1 funds balances on July 1, 2003. No transfer may be made from a

2 fund under this Section that would have the effect of reducing

3 the available balance in the fund to an amount less than the

4 amount remaining unexpended and unreserved from the total

5 appropriation from that fund estimated to be expended for that

6 fiscal year. This Section does not apply to any funds that are

7 restricted by federal law to a specific use, to any funds in

8 the Motor Fuel Tax Fund, the Intercity Passenger Rail Fund, the

9 Hospital Provider Fund, the Medicaid Provider Relief Fund, the

10 Teacher Health Insurance Security Fund, the Reviewing Court

11 Alternative Dispute Resolution Fund, the Voters' Guide Fund,

12 the Foreign Language Interpreter Fund, the Lawyers' Assistance

13 Program Fund, the Supreme Court Federal Projects Fund, the

14 Supreme Court Special State Projects Fund, the Supplemental

15 Low-Income Energy Assistance Fund, the Good Samaritan Energy

16 Trust Fund, the Low-Level Radioactive Waste Facility

17 Development and Operation Fund, the Horse Racing Equity Trust

18 Fund, the Metabolic Screening and Treatment Fund, or the

19 Hospital Basic Services Preservation Fund, or to any funds to

20 which Section 70-50 of the Nurse Practice Act applies. No

21 transfers may be made under this Section from the Pet

22 Population Control Fund. Notwithstanding any other provision

23 of this Section, for fiscal year 2004, the total transfer under

24 this Section from the Road Fund or the State Construction

25 Account Fund shall not exceed the lesser of (i) 5% of the

26 revenues to be deposited into the fund during that fiscal year

1   or (ii) 25% of the beginning balance in the fund. For fiscal

2   year 2005 through fiscal year 2007, no amounts may be

3   transferred under this Section from the Road Fund, the State

4   Construction Account Fund, the Criminal Justice Information

5   Systems Trust Fund, the Wireless Service Emergency Fund, or the

6   Mandatory Arbitration Fund.

7   In determining the available balance in a fund, the

8   Governor may include receipts, transfers into the fund, and

9   other resources anticipated to be available in the fund in that

10   fiscal year.

11   The State Treasurer and Comptroller shall transfer the

12   amounts designated under this Section as soon as may be

13   practicable after receiving the direction to transfer from the

14   Governor.

15   (a-5) Transfers directed to be made under this Section on

16   or before February 28, 2006 that are still pending on May 19,

17   2006 (the effective date of Public Act 94-774) shall be

18   redirected as provided in Section 8n of this Act.

19   (b) This Section does not apply to: (i) the Ticket For The

20   Cure Fund; (ii) any fund established under the Community Senior

21   Services and Resources Act; or (iii) on or after January 1,

22   2006 (the effective date of Public Act 94-511), the Child Labor

23   and Day and Temporary Labor Enforcement Fund.

24   (c) This Section does not apply to the Demutualization

25   Trust Fund established under the Uniform Disposition of

26   Unclaimed Property Act.

1   (d) This Section does not apply to moneys set aside in the

2 Illinois State Podiatric Disciplinary Fund for podiatric

3 scholarships and residency programs under the Podiatric

4 Scholarship and Residency Act.

5   (e) Subsection (a) does not apply to, and no transfer may

6 be made under this Section from, the Pension Stabilization

7 Fund.

8   (f) Subsection (a) does not apply to, and no transfer may

9 be made under this Section from, the Illinois Power Agency

10 Operations Fund, the Illinois Power Agency Facilities Fund, the

11 Illinois Power Agency Debt Service Fund, and the Illinois Power

12 Agency Trust Fund.

13   (g) This Section does not apply to the Veterans Service

14 Organization Reimbursement Fund.

15   (h) This Section does not apply to the Supreme Court

16 Historic Preservation Fund.

17   (i) This Section does not apply to, and no transfer may be

18 made under this Section from, the Money Follows the Person

19 Budget Transfer Fund.

20   (j) This Section does not apply to the Illinois Historic

21 Sites Fund and the Presidential Library and Museum Operating

22 Fund.

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

24 eff. 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05;

25 94-645, eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff.

26 11-2-05; 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773,

1   eff. 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06;

2   94-839, eff. 6-6-06; 95-331, eff. 8-21-07; 95-410, eff.

3   8-24-07; 95-481, eff. 8-28-07; 95-629, eff. 9-25-07; 95-639,

4   eff. 10-5-07; 95-695, eff. 11-5-07; 95-744, eff. 7-18-08;

5   95-876, eff. 8-21-08.)

6   Section 99. Effective date. This Act takes effect upon

7   becoming law.