



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB1411

Introduced 2/18/2009, by Rep. Michael J. Madigan - Barbara Flynn Currie - Jack D. Franks

#### SYNOPSIS AS INTRODUCED:

15 ILCS 20/50-5

was 15 ILCS 20/38

Amends the State Budget Law of the Civil Administrative Code of Illinois. Makes a technical change in a Section concerning the Governor's submission of the State budget.

LRB096 04897 RCE 14963 b

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 ~~The~~  
9 Governor shall, as soon as possible and not later than the  
10 first 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.

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

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

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

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

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

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

24 By March 15 of each year, the Commission on Government  
25 Forecasting and Accountability shall prepare revenue and fund  
26 transfer estimates in accordance with the requirements of this

1 Section and report those estimates to the General Assembly and  
2 the Governor.

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

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