

# HB3702



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB3702

Introduced 2/25/2009, by Rep. Gary Hannig

#### SYNOPSIS AS INTRODUCED:

15 ILCS 20/50-5  
15 ILCS 20/50-10

was 15 ILCS 20/38  
was 15 ILCS 20/38.1

Amends the State Budget Law of the Civil Administrative Code of Illinois. Allows the Governor to submit the State budget and budget information electronically and publish it on a State website. Effective immediately.

LRB096 11152 RCE 21524 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 Sections 50-5 and 50-10  
6 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 third  
10 Wednesday in March in 2009 (March 18, 2009) and the third  
11 Wednesday in February of each year beginning in 2010, 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. As used in this Section, "submit"  
19 includes the transmission of the budget in one or more  
20 electronic files and publication on a website maintained by the  
21 State of Illinois. 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. 96-1, eff. 2-17-09.)

10 (15 ILCS 20/50-10) (was 15 ILCS 20/38.1)

11 Sec. 50-10. Budget contents. The budget shall be submitted  
12 by the Governor with line item and program data. The budget  
13 shall also contain performance data presenting an estimate for  
14 the current fiscal year, projections for the budget year, and  
15 information for the 3 prior fiscal years comparing department  
16 objectives with actual accomplishments, formulated according  
17 to the various functions and activities, and, wherever the  
18 nature of the work admits, according to the work units, for  
19 which the respective departments, offices, and institutions of  
20 the State government (including the elective officers in the  
21 executive department and including the University of Illinois  
22 and the judicial department) are responsible.

23 For the fiscal year beginning July 1, 1992 and for each  
24 fiscal year thereafter, the budget shall include the  
25 performance measures of each department's accountability

1 report.

2 For the fiscal year beginning July 1, 1997 and for each  
3 fiscal year thereafter, the budget shall include one or more  
4 line items appropriating moneys to the Department of Human  
5 Services to fund participation in the Home-Based Support  
6 Services Program for Mentally Disabled Adults under the  
7 Developmental Disability and Mental Disability Services Act by  
8 persons described in Section 2-17 of that Act.

9 The budget shall contain a capital development section in  
10 which the Governor will present (1) information on the capital  
11 projects and capital programs for which appropriations are  
12 requested, (2) the capital spending plans, which shall document  
13 the first and subsequent years cash requirements by fund for  
14 the proposed bonded program, and (3) a statement that shall  
15 identify by year the principal and interest costs until  
16 retirement of the State's general obligation debt. In addition,  
17 the principal and interest costs of the budget year program  
18 shall be presented separately, to indicate the marginal cost of  
19 principal and interest payments necessary to retire the  
20 additional bonds needed to finance the budget year's capital  
21 program. In 2004 only, the capital development section of the  
22 State budget shall be submitted by the Governor not later than  
23 the fourth Tuesday of March (March 23, 2004).

24 For the budget year, the current year, and 3 prior fiscal  
25 years, the Governor shall also include in the budget estimates  
26 of or actual values for the assets and liabilities for General

1 Assembly Retirement System, State Employees' Retirement System  
2 of Illinois, State Universities Retirement System, Teachers'  
3 Retirement System of the State of Illinois, and Judges  
4 Retirement System of Illinois.

5 The budget submitted by the Governor shall contain, in  
6 addition, in a separate document ~~book~~, a tabulation of all  
7 position and employment titles in each such department, office,  
8 and institution, the number of each, and the salaries for each,  
9 formulated according to divisions, bureaus, sections, offices,  
10 departments, boards, and similar subdivisions, which shall  
11 correspond as nearly as practicable to the functions and  
12 activities for which the department, office, or institution is  
13 responsible. The document may be transmitted with the budget as  
14 a separate electronic file and published on the website on  
15 which the State budget is published pursuant to Section 50-5 of  
16 the State Budget Law of the Civil Administrative Code of  
17 Illinois.

18 Together with the budget, the Governor shall transmit the  
19 estimates of receipts and expenditures, as received by the  
20 Director of the Governor's Office of Management and Budget, of  
21 the elective officers in the executive and judicial departments  
22 and of the University of Illinois.

23 (Source: P.A. 93-662, eff. 2-11-04.)

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