



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB6264

Introduced 2/11/2010, by Rep. Darlene J. Senger - Sandy Cole - Renée Kosel - Sidney H. Mathias - Patricia R. Bellock, et al.

SYNOPSIS AS INTRODUCED:

15 ILCS 20/50-5

Amends the State Budget Law of the Civil Administrative Code of Illinois. With respect to fiscal year appropriations, requires the General Assembly to take into account (i) whether the previous fiscal year's revenues were sufficient to pay for all obligations incurred during that fiscal year or whether those obligations were shifted to future years and (ii) whether revenues for the budgeted fiscal year can be reasonably projected to meet appropriations for the budgeted fiscal year. For each budgeted fiscal year, requires the General Assembly, by the same joint resolution adopted by record vote, to declare that the budget is balanced.

LRB096 18935 RCE 34323 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning State budgets.

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)

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. The amounts recommended by the Governor
19 for appropriation to the respective departments, offices and
20 institutions shall be formulated according to the various
21 functions and activities for which the respective department,
22 office or institution of the State government (including the
23 elective officers in the executive department and including the

1 University of Illinois and the judicial department) is
2 responsible. The amounts relating to particular functions and
3 activities shall be further formulated in accordance with the
4 object classification specified in Section 13 of the State
5 Finance Act.

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

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

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

21 These funds shall be known as the "budgeted funds". The
22 revenue estimates used in the State budget for the budgeted
23 funds shall include the estimated beginning fund balance, plus
24 revenues estimated to be received during the budgeted year,
25 plus the estimated receipts due the State as of June 30 of the
26 budgeted year that are expected to be collected during the

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

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

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

22 Appropriations for expenditures shall also include all
23 anticipated statutory continuing appropriation obligations
24 that are expected to be incurred during the budgeted fiscal
25 year.

26 By March 15 of each year, the Commission on Government

1 Forecasting and Accountability shall prepare revenue and fund
2 transfer estimates in accordance with the requirements of this
3 Section and report those estimates to the General Assembly and
4 the Governor.

5 For all funds other than the budgeted funds, the proposed
6 expenditures shall not exceed funds estimated to be available
7 for the fiscal year as shown in the budget. Appropriation for a
8 fiscal year shall not exceed funds estimated by the General
9 Assembly to be available during that year. The General Assembly
10 shall take into account (i) whether the previous fiscal year's
11 revenues were sufficient to pay for all obligations incurred
12 during that fiscal year or whether those obligations were
13 shifted to future years and (ii) whether revenues for the
14 budgeted fiscal year can be reasonably projected to meet
15 appropriations for the budgeted fiscal year. For each budgeted
16 fiscal year, the General Assembly, by the same joint resolution
17 adopted by record vote, shall declare that the budget is
18 balanced.

19 (Source: P.A. 96-1, eff. 2-17-09; 96-320, eff. 1-1-10; revised
20 9-4-09.)