



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT

HC0061

Introduced , by Rep. Keith Farnham

SYNOPSIS AS INTRODUCED:

ILCON Art. VIII, Sec. 2.1 new

Proposes to amend the Finance Article of the Illinois Constitution. Beginning in Fiscal Year 2014, limits aggregate appropriations and transfers from the State's general funds in a fiscal year to the aggregate appropriations and transfers in the previous fiscal year, as adjusted by the 5-year average annual change in per capita personal income. Allows the Governor to declare a fiscal emergency. If the Comptroller and Treasurer concur in the Governor's declaration, then the General Assembly, by a three-fifths vote, may authorize appropriations and transfers by law that exceed the limitation. Requires excess revenues to be deposited into budget stabilization funds, and allows certain excess funds to be refunded. Effective upon being declared adopted.

LRB096 24635 AMC 44485 e

1 HOUSE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
4 NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE
5 SENATE CONCURRING HEREIN, that there shall be submitted to the
6 electors of the State for adoption or rejection at the general
7 election next occurring at least 6 months after the adoption of
8 this resolution a proposition to add Section 2.1 to Article
9 VIII of the Illinois Constitution as follows:

10 ARTICLE VIII

11 FINANCE

12 (ILCON Art. VIII, Sec. 2.1 new)

13 SECTION 2.1. LIMITATIONS ON APPROPRIATIONS AND TRANSFERS

14 (a) For the fiscal year ending in 2014 and each fiscal year
15 thereafter, aggregate appropriations and transfers from the
16 general funds are limited as provided in this Section. "General
17 funds" include the General Revenue Fund, the Common School
18 Fund, the General Revenue Common School Special Account Fund,
19 and the Education Assistance Fund and any other funds
20 designated by the General Assembly by law making specific
21 reference to this Section. "Appropriations and transfers" do
22 not include (i) reappropriations from a previous fiscal year,
23 (ii) those made for debt service payments, (iii) those made to

1 pay pension obligations, and (iv) those made to a budget
2 stabilization fund.

3 (b) Aggregate fiscal year appropriations and transfers
4 from the general funds may not exceed the limitation amount.
5 The limitation amount is the aggregate amount of appropriations
6 and transfers from the general funds in the previous fiscal
7 year, as adjusted. The adjustment is the average annual
8 percentage change in the average per capita personal income for
9 Illinois for the five most recent calendar years for which data
10 is available, as defined and reported by the United States
11 Department of Commerce, or its successor.

12 (c) The Governor may declare a fiscal emergency by filing a
13 declaration with the Secretary of State and copies with the
14 Senate and House of Representatives. The declaration must be
15 limited to only one State fiscal year, set forth compelling
16 reasons for declaring a fiscal emergency, and request that the
17 limitation amount for that fiscal year be increased by a
18 specific dollar amount. If the Comptroller and Treasurer advise
19 the General Assembly that they concur in the Governor's
20 declaration, then by a record vote of three-fifths of the
21 members elected in each house, the General Assembly by law may
22 authorize increased appropriations and transfers in a specific
23 dollar amount that is no more than the increased amount
24 requested by the Governor in the declaration.

25 (d) If the general funds revenues for a fiscal year exceed
26 the limitation amount for that fiscal year, then those excess

1 revenues must be deposited into one or more budget
2 stabilization funds. A budget stabilization fund must be
3 designated by law making specific reference to this Section or,
4 in the absence of law, by the Comptroller. If the aggregate
5 unexpended and unobligated amount in the budget stabilization
6 funds at the end of a fiscal year exceeds an amount equal to
7 ten percent of the limitation amount for that fiscal year, then
8 that excess shall be refunded in a manner and in amounts
9 determined by the General Assembly by law.

10

SCHEDULE

11 This Constitutional Amendment takes effect upon being
12 declared adopted in accordance with Section 7 of the Illinois
13 Constitutional Amendment Act.