



Rep. Barbara Flynn Currie

Filed: 10/29/2009

09600SB1265ham002

LRB096 08879 RCE 30673 a

1 AMENDMENT TO SENATE BILL 1265

2 AMENDMENT NO. _____. Amend Senate Bill 1265 by replacing
3 everything after the enacting clause with the following:

4 "ARTICLE 1. SHORT TITLE; PURPOSE

5 Section 1-5. Short title. This Act may be cited as the
6 FY2010 Budget Implementation (Fall Supplemental) Act.

7 Section 1-10. Purpose. It is the purpose of this Act to
8 make changes in State programs that are necessary to implement
9 the Governor's Fiscal Year 2010 fall supplemental budget
10 recommendations.

11 ARTICLE 5. AMENDATORY PROVISIONS

12 Section 5-5. The Mental Health and Developmental
13 Disabilities Administrative Act is amended by changing Section

1 18.4 as follows:

2 (20 ILCS 1705/18.4)

3 Sec. 18.4. Community Mental Health Medicaid Trust Fund;
4 reimbursement.

5 (a) The Community Mental Health Medicaid Trust Fund is
6 hereby created in the State Treasury.

7 (b) Amounts paid to the State during each State fiscal year
8 by the federal government under Title XIX or Title XXI of the
9 Social Security Act for services delivered by community mental
10 health providers, and any interest earned thereon, shall be
11 deposited as follows:

12 (1) The first \$75,000,000 shall be deposited directly
13 into the Community Mental Health Medicaid Trust Fund to be
14 used for the purchase of community mental health services;

15 (2) The next \$4,500,000 shall be deposited directly
16 into the Community Mental Health Medicaid Trust Fund to be
17 used by the Department of Human Services' Division of
18 Mental Health for the oversight and administration of
19 community mental health services and up to \$1,000,000 of
20 this amount may be used for support of community mental
21 health service initiatives;

22 (3) The next \$3,500,000 shall be deposited directly
23 into the General Revenue Fund;

24 (4) Any additional amounts shall be deposited into the
25 Community Mental Health Medicaid Trust Fund to be used for

1 the purchase of community mental health services.

2 (b-5) Whenever a State mental health facility operated by
3 the Department is closed and the real estate on which the
4 facility is located is sold by the State, the net proceeds of
5 the sale of the real estate shall be deposited into the
6 Community Mental Health Medicaid Trust Fund.

7 (c) The Department shall reimburse community mental health
8 providers for services provided to eligible individuals.
9 Moneys in the Community Mental Health Medicaid Trust Fund may
10 be used for that purpose.

11 (d) As used in this Section:

12 "Community mental health provider" means a community
13 agency that is funded by the Department to provide a service.

14 "Service" means a mental health service provided pursuant
15 to the provisions of administrative rules adopted by the
16 Department and funded by or claimed through the Department of
17 Human Services' Division of Mental Health.

18 (Source: P.A. 95-707, eff. 1-11-08; 96-660, eff. 8-25-09.)

19 Section 5-7. The Illinois Emergency Management Agency Act
20 is amended by changing Section 5 as follows:

21 (20 ILCS 3305/5) (from Ch. 127, par. 1055)

22 Sec. 5. Illinois Emergency Management Agency.

23 (a) There is created within the executive branch of the
24 State Government an Illinois Emergency Management Agency and a

1 Director of the Illinois Emergency Management Agency, herein
2 called the "Director" who shall be the head thereof. The
3 Director shall be appointed by the Governor, with the advice
4 and consent of the Senate, and shall serve for a term of 2
5 years beginning on the third Monday in January of the
6 odd-numbered year, and until a successor is appointed and has
7 qualified; except that the term of the first Director appointed
8 under this Act shall expire on the third Monday in January,
9 1989. The Director shall not hold any other remunerative public
10 office. The Director shall receive an annual salary as set by
11 the Governor from time to time or the amount set by the
12 Compensation Review Board, whichever is higher. If set by the
13 Governor, the Director's annual salary may not exceed 85% of
14 the Governor's annual salary.

15 (b) The Illinois Emergency Management Agency shall obtain,
16 under the provisions of the Personnel Code, technical,
17 clerical, stenographic and other administrative personnel, and
18 may make expenditures within the appropriation therefor as may
19 be necessary to carry out the purpose of this Act. The agency
20 created by this Act is intended to be a successor to the agency
21 created under the Illinois Emergency Services and Disaster
22 Agency Act of 1975 and the personnel, equipment, records, and
23 appropriations of that agency are transferred to the successor
24 agency as of the effective date of this Act.

25 (c) The Director, subject to the direction and control of
26 the Governor, shall be the executive head of the Illinois

1 Emergency Management Agency and the State Emergency Response
2 Commission and shall be responsible under the direction of the
3 Governor, for carrying out the program for emergency management
4 of this State. The Director shall also maintain liaison and
5 cooperate with the emergency management organizations of this
6 State and other states and of the federal government.

7 (d) The Illinois Emergency Management Agency shall take an
8 integral part in the development and revision of political
9 subdivision emergency operations plans prepared under
10 paragraph (f) of Section 10. To this end it shall employ or
11 otherwise secure the services of professional and technical
12 personnel capable of providing expert assistance to the
13 emergency services and disaster agencies. These personnel
14 shall consult with emergency services and disaster agencies on
15 a regular basis and shall make field examinations of the areas,
16 circumstances, and conditions that particular political
17 subdivision emergency operations plans are intended to apply.

18 (e) The Illinois Emergency Management Agency and political
19 subdivisions shall be encouraged to form an emergency
20 management advisory committee composed of private and public
21 personnel representing the emergency management phases of
22 mitigation, preparedness, response, and recovery. The Local
23 Emergency Planning Committee, as created under the Illinois
24 Emergency Planning and Community Right to Know Act, shall serve
25 as an advisory committee to the emergency services and disaster
26 agency or agencies serving within the boundaries of that Local

1 Emergency Planning Committee planning district for:

2 (1) the development of emergency operations plan
3 provisions for hazardous chemical emergencies; and

4 (2) the assessment of emergency response capabilities
5 related to hazardous chemical emergencies.

6 (f) The Illinois Emergency Management Agency shall:

7 (1) Coordinate the overall emergency management
8 program of the State.

9 (2) Cooperate with local governments, the federal
10 government and any public or private agency or entity in
11 achieving any purpose of this Act and in implementing
12 emergency management programs for mitigation,
13 preparedness, response, and recovery.

14 (2.5) Develop a comprehensive emergency preparedness
15 and response plan for any nuclear accident in accordance
16 with Section 65 of the Department of Nuclear Safety Law of
17 2004 (20 ILCS 3310) and in development of the Illinois
18 Nuclear Safety Preparedness program in accordance with
19 Section 8 of the Illinois Nuclear Safety Preparedness Act.

20 (2.6) Coordinate with the Department of Public Health
21 with respect to planning for and responding to public
22 health emergencies.

23 (3) Prepare, for issuance by the Governor, executive
24 orders, proclamations, and regulations as necessary or
25 appropriate in coping with disasters.

26 (4) Promulgate rules and requirements for political

1 subdivision emergency operations plans that are not
2 inconsistent with and are at least as stringent as
3 applicable federal laws and regulations.

4 (5) Review and approve, in accordance with Illinois
5 Emergency Management Agency rules, emergency operations
6 plans for those political subdivisions required to have an
7 emergency services and disaster agency pursuant to this
8 Act.

9 (5.5) Promulgate rules and requirements for the
10 political subdivision emergency management exercises,
11 including, but not limited to, exercises of the emergency
12 operations plans.

13 (5.10) Review, evaluate, and approve, in accordance
14 with Illinois Emergency Management Agency rules, political
15 subdivision emergency management exercises for those
16 political subdivisions required to have an emergency
17 services and disaster agency pursuant to this Act.

18 (6) Determine requirements of the State and its
19 political subdivisions for food, clothing, and other
20 necessities in event of a disaster.

21 (7) Establish a register of persons with types of
22 emergency management training and skills in mitigation,
23 preparedness, response, and recovery.

24 (8) Establish a register of government and private
25 response resources available for use in a disaster.

26 (9) Expand the Earthquake Awareness Program and its

1 efforts to distribute earthquake preparedness materials to
2 schools, political subdivisions, community groups, civic
3 organizations, and the media. Emphasis will be placed on
4 those areas of the State most at risk from an earthquake.
5 Maintain the list of all school districts, hospitals,
6 airports, power plants, including nuclear power plants,
7 lakes, dams, emergency response facilities of all types,
8 and all other major public or private structures which are
9 at the greatest risk of damage from earthquakes under
10 circumstances where the damage would cause subsequent harm
11 to the surrounding communities and residents.

12 (10) Disseminate all information, completely and
13 without delay, on water levels for rivers and streams and
14 any other data pertaining to potential flooding supplied by
15 the Division of Water Resources within the Department of
16 Natural Resources to all political subdivisions to the
17 maximum extent possible.

18 (11) Develop agreements, if feasible, with medical
19 supply and equipment firms to supply resources as are
20 necessary to respond to an earthquake or any other disaster
21 as defined in this Act. These resources will be made
22 available upon notifying the vendor of the disaster.
23 Payment for the resources will be in accordance with
24 Section 7 of this Act. The Illinois Department of Public
25 Health shall determine which resources will be required and
26 requested.

1 (11.5) In coordination with the Department of State
2 Police, develop and implement a community outreach program
3 to promote awareness among the State's parents and children
4 of child abduction prevention and response.

5 (12) Out of funds appropriated for these purposes,
6 award capital and non-capital grants to Illinois hospitals
7 or health care facilities located outside of a city with a
8 population in excess of 1,000,000 to be used for purposes
9 that include, but are not limited to, preparing to respond
10 to mass casualties and disasters, maintaining and
11 improving patient safety and quality of care, and
12 protecting the confidentiality of patient information. No
13 single grant for a capital expenditure shall exceed
14 \$300,000. No single grant for a non-capital expenditure
15 shall exceed \$100,000. In awarding such grants, preference
16 shall be given to hospitals that serve a significant number
17 of Medicaid recipients, but do not qualify for
18 disproportionate share hospital adjustment payments under
19 the Illinois Public Aid Code. To receive such a grant, a
20 hospital or health care facility must provide funding of at
21 least 50% of the cost of the project for which the grant is
22 being requested. In awarding such grants the Illinois
23 Emergency Management Agency shall consider the
24 recommendations of the Illinois Hospital Association.

25 (13) Do all other things necessary, incidental or
26 appropriate for the implementation of this Act.

1 (g) The Illinois Emergency Management Agency is authorized
2 to make grants to various higher education institutions for
3 safety and security improvements. For the purpose of this
4 subsection (g), "higher education institution" means a public
5 university, a public community college, or an independent,
6 not-for-profit or for-profit higher education institution
7 located in this State. Grants made under this subsection (g)
8 shall be paid out of moneys appropriated for that purpose from
9 the Build Illinois Bond Fund. The Illinois Emergency Management
10 Agency shall adopt rules to implement this subsection (g).
11 These rules may specify: (i) the manner of applying for grants;
12 (ii) project eligibility requirements; (iii) restrictions on
13 the use of grant moneys; (iv) the manner in which the various
14 higher education institutions must account for the use of grant
15 moneys; and (v) any other provision that the Illinois Emergency
16 Management Agency determines to be necessary or useful for the
17 administration of this subsection (g).

18 (Source: P.A. 93-249, eff. 7-22-03; 93-310, eff. 7-23-03;
19 94-334, eff. 1-1-06.)

20 Section 5-10. The State Finance Act is amended by changing
21 Sections 6z-78, 8g, and 13.2 and by adding Sections 5.755 and
22 6z-81 as follows:

23 (30 ILCS 105/5.755 new)

24 Sec. 5.755. The Healthcare Provider Relief Fund.

1 (30 ILCS 105/6z-78)

2 Sec. 6z-78. Capital Projects Fund; bonded indebtedness;
3 transfers. Money in the Capital Projects Fund shall, if and
4 when the State of Illinois incurs any bonded indebtedness using
5 the bond authorization enacted in this amendatory Act of the
6 96th General Assembly, be set aside and used for the purpose of
7 paying and discharging annually the principal and interest on
8 that bonded indebtedness then due and payable.

9 In addition to other transfers to the General Obligation
10 Bond Retirement and Interest Fund made pursuant to Section 15
11 of the General Obligation Bond Act, upon each delivery of
12 general obligation bonds using bond authorization enacted in
13 this amendatory Act of the 96th General Assembly the State
14 Comptroller shall compute and certify to the State Treasurer
15 the total amount of principal of, interest on, and premium, if
16 any, on such bonds during the then current and each succeeding
17 fiscal year. With respect to the interest payable on variable
18 rate bonds, such certifications shall be calculated at the
19 maximum rate of interest that may be payable during the fiscal
20 year, after taking into account any credits permitted in the
21 related indenture or other instrument against the amount of
22 such interest required to be appropriated for the period.

23 (a) Except as provided for in subsection (b), on ~~or~~ or
24 before the last day of each month, the State Treasurer and
25 State Comptroller shall transfer from the Capital Projects Fund

1 to the General Obligation Bond Retirement and Interest Fund an
2 amount sufficient to pay the aggregate of the principal of,
3 interest on, and premium, if any, on the bonds payable on their
4 next payment date, divided by the number of monthly transfers
5 occurring between the last previous payment date (or the
6 delivery date if no payment date has yet occurred) and the next
7 succeeding payment date. Interest payable on variable rate
8 bonds shall be calculated at the maximum rate of interest that
9 may be payable for the relevant period, after taking into
10 account any credits permitted in the related indenture or other
11 instrument against the amount of such interest required to be
12 appropriated for that period. Interest for which moneys have
13 already been deposited into the capitalized interest account
14 within the General Obligation Bond Retirement and Interest Fund
15 shall not be included in the calculation of the amounts to be
16 transferred under this subsection.

17 (b) On or before the last day of each month, the State
18 Treasurer and State Comptroller shall transfer from the Capital
19 Projects Fund to the General Obligation Bond Retirement and
20 Interest Fund an amount sufficient to pay the aggregate of the
21 principal of, interest on, and premium, if any, on the bonds
22 issued prior to January 1, 2012 pursuant to Section 4(d) of the
23 General Obligation Bond Act payable on their next payment date,
24 divided by the number of monthly transfers occurring between
25 the last previous payment date (or the delivery date if no
26 payment date has yet occurred) and the next succeeding payment

1 date. If the available balance in the Capital Projects Fund is
2 not sufficient for the transfer required in this subsection,
3 the State Treasurer and State Comptroller shall transfer the
4 difference from the Road Fund to the General Obligation Bond
5 Retirement and Interest Fund; except that such Road Fund
6 transfers shall constitute a debt of the Capital Projects Fund
7 which shall be repaid according to subsection (c). Interest
8 payable on variable rate bonds shall be calculated at the
9 maximum rate of interest that may be payable for the relevant
10 period, after taking into account any credits permitted in the
11 related indenture or other instrument against the amount of
12 such interest required to be appropriated for that period.
13 Interest for which moneys have already been deposited into the
14 capitalized interest account within the General Obligation
15 Bond Retirement and Interest Fund shall not be included in the
16 calculation of the amounts to be transferred under this
17 subsection.

18 (c) On the first day of any month when the Capital Projects
19 Fund is carrying a debt to the Road Fund due to the provisions
20 of subsection (b), the State Treasurer and State Comptroller
21 shall transfer from the Capital Projects Fund to the Road Fund
22 an amount sufficient to discharge that debt. These transfers to
23 the Road Fund shall continue until the Capital Projects Fund
24 has repaid to the Road Fund all transfers made from the Road
25 Fund pursuant to subsection (b). Notwithstanding any other law
26 to the contrary, transfers to the Road Fund from the Capital

1 Projects Fund shall be made prior to any other expenditures or
2 transfers out of the Capital Projects Fund.

3 (Source: P.A. 96-36, eff. 7-13-09.)

4 (30 ILCS 105/6z-81 new)

5 Sec. 6z-81. Healthcare Provider Relief Fund.

6 (a) There is created in the State Treasury a special fund
7 to be known as the Healthcare Provider Relief Fund.

8 (b) The Fund is created for the purpose of receiving and
9 disbursing moneys in accordance with this Section.

10 Disbursements from the Fund shall be made only as follows:

11 (1) Subject to appropriation, for payment by the
12 Department of Healthcare and Family Services or by the
13 Department of Human Services of medical bills and related
14 expenses for which the State is responsible under Titles
15 XIX and XXI of the Social Security Act, the Illinois Public
16 Aid Code, the Children's Health Insurance Program Act, the
17 Covering ALL KIDS Health Insurance Act, and the Senior
18 Citizens and Disabled Persons Property Tax Relief and
19 Pharmaceutical Assistance Act.

20 (2) For repayment of funds borrowed from other State
21 funds or from outside sources, including interest thereon.

22 (c) The Fund shall consist of the following:

23 (1) Moneys received by the State from short-term
24 borrowing pursuant to the Short Term Borrowing Act on or
25 after the effective date of this amendatory Act of the 96th

1 General Assembly.

2 (2) All federal matching funds received by the Illinois
3 Department of Healthcare and Family Services as a result of
4 expenditures made by the Department that are attributable
5 to moneys deposited in the Fund.

6 (3) All federal matching funds received by the Illinois
7 Department of Healthcare and Family Services as a result of
8 federal approval of Title XIX State plan amendment
9 transmittal number 07-09.

10 (4) All other moneys received for the Fund from any
11 other source, including interest earned thereon.

12 (30 ILCS 105/8g)

13 Sec. 8g. Fund transfers.

14 (a) In addition to any other transfers that may be provided
15 for by law, as soon as may be practical after the effective
16 date of this amendatory Act of the 91st General Assembly, the
17 State Comptroller shall direct and the State Treasurer shall
18 transfer the sum of \$10,000,000 from the General Revenue Fund
19 to the Motor Vehicle License Plate Fund created by Senate Bill
20 1028 of the 91st General Assembly.

21 (b) In addition to any other transfers that may be provided
22 for by law, as soon as may be practical after the effective
23 date of this amendatory Act of the 91st General Assembly, the
24 State Comptroller shall direct and the State Treasurer shall
25 transfer the sum of \$25,000,000 from the General Revenue Fund

1 to the Fund for Illinois' Future created by Senate Bill 1066 of
2 the 91st General Assembly.

3 (c) In addition to any other transfers that may be provided
4 for by law, on August 30 of each fiscal year's license period,
5 the Illinois Liquor Control Commission shall direct and the
6 State Comptroller and State Treasurer shall transfer from the
7 General Revenue Fund to the Youth Alcoholism and Substance
8 Abuse Prevention Fund an amount equal to the number of retail
9 liquor licenses issued for that fiscal year multiplied by \$50.

10 (d) The payments to programs required under subsection (d)
11 of Section 28.1 of the Horse Racing Act of 1975 shall be made,
12 pursuant to appropriation, from the special funds referred to
13 in the statutes cited in that subsection, rather than directly
14 from the General Revenue Fund.

15 Beginning January 1, 2000, on the first day of each month,
16 or as soon as may be practical thereafter, the State
17 Comptroller shall direct and the State Treasurer shall transfer
18 from the General Revenue Fund to each of the special funds from
19 which payments are to be made under Section 28.1(d) of the
20 Horse Racing Act of 1975 an amount equal to 1/12 of the annual
21 amount required for those payments from that special fund,
22 which annual amount shall not exceed the annual amount for
23 those payments from that special fund for the calendar year
24 1998. The special funds to which transfers shall be made under
25 this subsection (d) include, but are not necessarily limited
26 to, the Agricultural Premium Fund; the Metropolitan Exposition

1 Auditorium and Office Building Fund; the Fair and Exposition
2 Fund; the Standardbred Breeders Fund; the Thoroughbred
3 Breeders Fund; and the Illinois Veterans' Rehabilitation Fund.

4 (e) In addition to any other transfers that may be provided
5 for by law, as soon as may be practical after the effective
6 date of this amendatory Act of the 91st General Assembly, but
7 in no event later than June 30, 2000, the State Comptroller
8 shall direct and the State Treasurer shall transfer the sum of
9 \$15,000,000 from the General Revenue Fund to the Fund for
10 Illinois' Future.

11 (f) In addition to any other transfers that may be provided
12 for by law, as soon as may be practical after the effective
13 date of this amendatory Act of the 91st General Assembly, but
14 in no event later than June 30, 2000, the State Comptroller
15 shall direct and the State Treasurer shall transfer the sum of
16 \$70,000,000 from the General Revenue Fund to the Long-Term Care
17 Provider Fund.

18 (f-1) In fiscal year 2002, in addition to any other
19 transfers that may be provided for by law, at the direction of
20 and upon notification from the Governor, the State Comptroller
21 shall direct and the State Treasurer shall transfer amounts not
22 exceeding a total of \$160,000,000 from the General Revenue Fund
23 to the Long-Term Care Provider Fund.

24 (g) In addition to any other transfers that may be provided
25 for by law, on July 1, 2001, or as soon thereafter as may be
26 practical, the State Comptroller shall direct and the State

1 Treasurer shall transfer the sum of \$1,200,000 from the General
2 Revenue Fund to the Violence Prevention Fund.

3 (h) In each of fiscal years 2002 through 2004, but not
4 thereafter, in addition to any other transfers that may be
5 provided for by law, the State Comptroller shall direct and the
6 State Treasurer shall transfer \$5,000,000 from the General
7 Revenue Fund to the Tourism Promotion Fund.

8 (i) On or after July 1, 2001 and until May 1, 2002, in
9 addition to any other transfers that may be provided for by
10 law, at the direction of and upon notification from the
11 Governor, the State Comptroller shall direct and the State
12 Treasurer shall transfer amounts not exceeding a total of
13 \$80,000,000 from the General Revenue Fund to the Tobacco
14 Settlement Recovery Fund. Any amounts so transferred shall be
15 re-transferred by the State Comptroller and the State Treasurer
16 from the Tobacco Settlement Recovery Fund to the General
17 Revenue Fund at the direction of and upon notification from the
18 Governor, but in any event on or before June 30, 2002.

19 (i-1) On or after July 1, 2002 and until May 1, 2003, in
20 addition to any other transfers that may be provided for by
21 law, at the direction of and upon notification from the
22 Governor, the State Comptroller shall direct and the State
23 Treasurer shall transfer amounts not exceeding a total of
24 \$80,000,000 from the General Revenue Fund to the Tobacco
25 Settlement Recovery Fund. Any amounts so transferred shall be
26 re-transferred by the State Comptroller and the State Treasurer

1 from the Tobacco Settlement Recovery Fund to the General
 2 Revenue Fund at the direction of and upon notification from the
 3 Governor, but in any event on or before June 30, 2003.

4 (j) On or after July 1, 2001 and no later than June 30,
 5 2002, in addition to any other transfers that may be provided
 6 for by law, at the direction of and upon notification from the
 7 Governor, the State Comptroller shall direct and the State
 8 Treasurer shall transfer amounts not to exceed the following
 9 sums into the Statistical Services Revolving Fund:

| | | |
|----|---|-------------|
| 10 | From the General Revenue Fund | \$8,450,000 |
| 11 | From the Public Utility Fund | 1,700,000 |
| 12 | From the Transportation Regulatory Fund | 2,650,000 |
| 13 | From the Title III Social Security and | |
| 14 | Employment Fund | 3,700,000 |
| 15 | From the Professions Indirect Cost Fund | 4,050,000 |
| 16 | From the Underground Storage Tank Fund | 550,000 |
| 17 | From the Agricultural Premium Fund | 750,000 |
| 18 | From the State Pensions Fund | 200,000 |
| 19 | From the Road Fund | 2,000,000 |
| 20 | From the Health Facilities | |
| 21 | Planning Fund | 1,000,000 |
| 22 | From the Savings and Residential Finance | |
| 23 | Regulatory Fund | 130,800 |
| 24 | From the Appraisal Administration Fund | 28,600 |
| 25 | From the Pawnbroker Regulation Fund | 3,600 |
| 26 | From the Auction Regulation | |

| | | |
|---|---|---------|
| 1 | Administration Fund | 35,800 |
| 2 | From the Bank and Trust Company Fund..... | 634,800 |
| 3 | From the Real Estate License | |
| 4 | Administration Fund | 313,600 |

5 (k) In addition to any other transfers that may be provided
6 for by law, as soon as may be practical after the effective
7 date of this amendatory Act of the 92nd General Assembly, the
8 State Comptroller shall direct and the State Treasurer shall
9 transfer the sum of \$2,000,000 from the General Revenue Fund to
10 the Teachers Health Insurance Security Fund.

11 (k-1) In addition to any other transfers that may be
12 provided for by law, on July 1, 2002, or as soon as may be
13 practical thereafter, the State Comptroller shall direct and
14 the State Treasurer shall transfer the sum of \$2,000,000 from
15 the General Revenue Fund to the Teachers Health Insurance
16 Security Fund.

17 (k-2) In addition to any other transfers that may be
18 provided for by law, on July 1, 2003, or as soon as may be
19 practical thereafter, the State Comptroller shall direct and
20 the State Treasurer shall transfer the sum of \$2,000,000 from
21 the General Revenue Fund to the Teachers Health Insurance
22 Security Fund.

23 (k-3) On or after July 1, 2002 and no later than June 30,
24 2003, in addition to any other transfers that may be provided
25 for by law, at the direction of and upon notification from the
26 Governor, the State Comptroller shall direct and the State

1 Treasurer shall transfer amounts not to exceed the following
2 sums into the Statistical Services Revolving Fund:

| | | |
|----|---|------------|
| 3 | Appraisal Administration Fund | \$150,000 |
| 4 | General Revenue Fund | 10,440,000 |
| 5 | Savings and Residential Finance | |
| 6 | Regulatory Fund | 200,000 |
| 7 | State Pensions Fund | 100,000 |
| 8 | Bank and Trust Company Fund | 100,000 |
| 9 | Professions Indirect Cost Fund | 3,400,000 |
| 10 | Public Utility Fund | 2,081,200 |
| 11 | Real Estate License Administration Fund | 150,000 |
| 12 | Title III Social Security and | |
| 13 | Employment Fund | 1,000,000 |
| 14 | Transportation Regulatory Fund | 3,052,100 |
| 15 | Underground Storage Tank Fund | 50,000 |

16 (l) In addition to any other transfers that may be provided
17 for by law, on July 1, 2002, or as soon as may be practical
18 thereafter, the State Comptroller shall direct and the State
19 Treasurer shall transfer the sum of \$3,000,000 from the General
20 Revenue Fund to the Presidential Library and Museum Operating
21 Fund.

22 (m) In addition to any other transfers that may be provided
23 for by law, on July 1, 2002 and on the effective date of this
24 amendatory Act of the 93rd General Assembly, or as soon
25 thereafter as may be practical, the State Comptroller shall
26 direct and the State Treasurer shall transfer the sum of

1 \$1,200,000 from the General Revenue Fund to the Violence
2 Prevention Fund.

3 (n) In addition to any other transfers that may be provided
4 for by law, on July 1, 2003, or as soon thereafter as may be
5 practical, the State Comptroller shall direct and the State
6 Treasurer shall transfer the sum of \$6,800,000 from the General
7 Revenue Fund to the DHS Recoveries Trust Fund.

8 (o) On or after July 1, 2003, and no later than June 30,
9 2004, in addition to any other transfers that may be provided
10 for by law, at the direction of and upon notification from the
11 Governor, the State Comptroller shall direct and the State
12 Treasurer shall transfer amounts not to exceed the following
13 sums into the Vehicle Inspection Fund:

14 From the Underground Storage Tank Fund \$35,000,000.

15 (p) On or after July 1, 2003 and until May 1, 2004, in
16 addition to any other transfers that may be provided for by
17 law, at the direction of and upon notification from the
18 Governor, the State Comptroller shall direct and the State
19 Treasurer shall transfer amounts not exceeding a total of
20 \$80,000,000 from the General Revenue Fund to the Tobacco
21 Settlement Recovery Fund. Any amounts so transferred shall be
22 re-transferred from the Tobacco Settlement Recovery Fund to the
23 General Revenue Fund at the direction of and upon notification
24 from the Governor, but in any event on or before June 30, 2004.

25 (q) In addition to any other transfers that may be provided
26 for by law, on July 1, 2003, or as soon as may be practical

1 thereafter, the State Comptroller shall direct and the State
2 Treasurer shall transfer the sum of \$5,000,000 from the General
3 Revenue Fund to the Illinois Military Family Relief Fund.

4 (r) In addition to any other transfers that may be provided
5 for by law, on July 1, 2003, or as soon as may be practical
6 thereafter, the State Comptroller shall direct and the State
7 Treasurer shall transfer the sum of \$1,922,000 from the General
8 Revenue Fund to the Presidential Library and Museum Operating
9 Fund.

10 (s) In addition to any other transfers that may be provided
11 for by law, on or after July 1, 2003, the State Comptroller
12 shall direct and the State Treasurer shall transfer the sum of
13 \$4,800,000 from the Statewide Economic Development Fund to the
14 General Revenue Fund.

15 (t) In addition to any other transfers that may be provided
16 for by law, on or after July 1, 2003, the State Comptroller
17 shall direct and the State Treasurer shall transfer the sum of
18 \$50,000,000 from the General Revenue Fund to the Budget
19 Stabilization Fund.

20 (u) On or after July 1, 2004 and until May 1, 2005, in
21 addition to any other transfers that may be provided for by
22 law, at the direction of and upon notification from the
23 Governor, the State Comptroller shall direct and the State
24 Treasurer shall transfer amounts not exceeding a total of
25 \$80,000,000 from the General Revenue Fund to the Tobacco
26 Settlement Recovery Fund. Any amounts so transferred shall be

1 retransferred by the State Comptroller and the State Treasurer
2 from the Tobacco Settlement Recovery Fund to the General
3 Revenue Fund at the direction of and upon notification from the
4 Governor, but in any event on or before June 30, 2005.

5 (v) In addition to any other transfers that may be provided
6 for by law, on July 1, 2004, or as soon thereafter as may be
7 practical, the State Comptroller shall direct and the State
8 Treasurer shall transfer the sum of \$1,200,000 from the General
9 Revenue Fund to the Violence Prevention Fund.

10 (w) In addition to any other transfers that may be provided
11 for by law, on July 1, 2004, or as soon thereafter as may be
12 practical, the State Comptroller shall direct and the State
13 Treasurer shall transfer the sum of \$6,445,000 from the General
14 Revenue Fund to the Presidential Library and Museum Operating
15 Fund.

16 (x) In addition to any other transfers that may be provided
17 for by law, on January 15, 2005, or as soon thereafter as may
18 be practical, the State Comptroller shall direct and the State
19 Treasurer shall transfer to the General Revenue Fund the
20 following sums:

21 From the State Crime Laboratory Fund, \$200,000;

22 From the State Police Wireless Service Emergency Fund,
23 \$200,000;

24 From the State Offender DNA Identification System
25 Fund, \$800,000; and

26 From the State Police Whistleblower Reward and

1 Protection Fund, \$500,000.

2 (y) Notwithstanding any other provision of law to the
3 contrary, in addition to any other transfers that may be
4 provided for by law on June 30, 2005, or as soon as may be
5 practical thereafter, the State Comptroller shall direct and
6 the State Treasurer shall transfer the remaining balance from
7 the designated funds into the General Revenue Fund and any
8 future deposits that would otherwise be made into these funds
9 must instead be made into the General Revenue Fund:

10 (1) the Keep Illinois Beautiful Fund;

11 (2) the Metropolitan Fair and Exposition Authority
12 Reconstruction Fund;

13 (3) the New Technology Recovery Fund;

14 (4) the Illinois Rural Bond Bank Trust Fund;

15 (5) the ISBE School Bus Driver Permit Fund;

16 (6) the Solid Waste Management Revolving Loan Fund;

17 (7) the State Postsecondary Review Program Fund;

18 (8) the Tourism Attraction Development Matching Grant
19 Fund;

20 (9) the Patent and Copyright Fund;

21 (10) the Credit Enhancement Development Fund;

22 (11) the Community Mental Health and Developmental
23 Disabilities Services Provider Participation Fee Trust
24 Fund;

25 (12) the Nursing Home Grant Assistance Fund;

26 (13) the By-product Material Safety Fund;

1 (14) the Illinois Student Assistance Commission Higher
2 EdNet Fund;

3 (15) the DORS State Project Fund;

4 (16) the School Technology Revolving Fund;

5 (17) the Energy Assistance Contribution Fund;

6 (18) the Illinois Building Commission Revolving Fund;

7 (19) the Illinois Aquaculture Development Fund;

8 (20) the Homelessness Prevention Fund;

9 (21) the DCFS Refugee Assistance Fund;

10 (22) the Illinois Century Network Special Purposes
11 Fund; and

12 (23) the Build Illinois Purposes Fund.

13 (z) In addition to any other transfers that may be provided
14 for by law, on July 1, 2005, or as soon as may be practical
15 thereafter, the State Comptroller shall direct and the State
16 Treasurer shall transfer the sum of \$1,200,000 from the General
17 Revenue Fund to the Violence Prevention Fund.

18 (aa) In addition to any other transfers that may be
19 provided for by law, on July 1, 2005, or as soon as may be
20 practical thereafter, the State Comptroller shall direct and
21 the State Treasurer shall transfer the sum of \$9,000,000 from
22 the General Revenue Fund to the Presidential Library and Museum
23 Operating Fund.

24 (bb) In addition to any other transfers that may be
25 provided for by law, on July 1, 2005, or as soon as may be
26 practical thereafter, the State Comptroller shall direct and

1 the State Treasurer shall transfer the sum of \$6,803,600 from
2 the General Revenue Fund to the Securities Audit and
3 Enforcement Fund.

4 (cc) In addition to any other transfers that may be
5 provided for by law, on or after July 1, 2005 and until May 1,
6 2006, at the direction of and upon notification from the
7 Governor, the State Comptroller shall direct and the State
8 Treasurer shall transfer amounts not exceeding a total of
9 \$80,000,000 from the General Revenue Fund to the Tobacco
10 Settlement Recovery Fund. Any amounts so transferred shall be
11 re-transferred by the State Comptroller and the State Treasurer
12 from the Tobacco Settlement Recovery Fund to the General
13 Revenue Fund at the direction of and upon notification from the
14 Governor, but in any event on or before June 30, 2006.

15 (dd) In addition to any other transfers that may be
16 provided for by law, on April 1, 2005, or as soon thereafter as
17 may be practical, at the direction of the Director of Public
18 Aid (now Director of Healthcare and Family Services), the State
19 Comptroller shall direct and the State Treasurer shall transfer
20 from the Public Aid Recoveries Trust Fund amounts not to exceed
21 \$14,000,000 to the Community Mental Health Medicaid Trust Fund.

22 (ee) Notwithstanding any other provision of law, on July 1,
23 2006, or as soon thereafter as practical, the State Comptroller
24 shall direct and the State Treasurer shall transfer the
25 remaining balance from the Illinois Civic Center Bond Fund to
26 the Illinois Civic Center Bond Retirement and Interest Fund.

1 (ff) In addition to any other transfers that may be
2 provided for by law, on and after July 1, 2006 and until June
3 30, 2007, at the direction of and upon notification from the
4 Director of the Governor's Office of Management and Budget, the
5 State Comptroller shall direct and the State Treasurer shall
6 transfer amounts not exceeding a total of \$1,900,000 from the
7 General Revenue Fund to the Illinois Capital Revolving Loan
8 Fund.

9 (gg) In addition to any other transfers that may be
10 provided for by law, on and after July 1, 2006 and until May 1,
11 2007, at the direction of and upon notification from the
12 Governor, the State Comptroller shall direct and the State
13 Treasurer shall transfer amounts not exceeding a total of
14 \$80,000,000 from the General Revenue Fund to the Tobacco
15 Settlement Recovery Fund. Any amounts so transferred shall be
16 retransferred by the State Comptroller and the State Treasurer
17 from the Tobacco Settlement Recovery Fund to the General
18 Revenue Fund at the direction of and upon notification from the
19 Governor, but in any event on or before June 30, 2007.

20 (hh) In addition to any other transfers that may be
21 provided for by law, on and after July 1, 2006 and until June
22 30, 2007, at the direction of and upon notification from the
23 Governor, the State Comptroller shall direct and the State
24 Treasurer shall transfer amounts from the Illinois Affordable
25 Housing Trust Fund to the designated funds not exceeding the
26 following amounts:

1 DCFS Children's Services Fund \$2,200,000
 2 Department of Corrections Reimbursement
 3 and Education Fund \$1,500,000
 4 Supplemental Low-Income Energy
 5 Assistance Fund..... \$75,000

6 (ii) In addition to any other transfers that may be
 7 provided for by law, on or before August 31, 2006, the Governor
 8 and the State Comptroller may agree to transfer the surplus
 9 cash balance from the General Revenue Fund to the Budget
 10 Stabilization Fund and the Pension Stabilization Fund in equal
 11 proportions. The determination of the amount of the surplus
 12 cash balance shall be made by the Governor, with the
 13 concurrence of the State Comptroller, after taking into account
 14 the June 30, 2006 balances in the general funds and the actual
 15 or estimated spending from the general funds during the lapse
 16 period. Notwithstanding the foregoing, the maximum amount that
 17 may be transferred under this subsection (ii) is \$50,000,000.

18 (jj) In addition to any other transfers that may be
 19 provided for by law, on July 1, 2006, or as soon thereafter as
 20 practical, the State Comptroller shall direct and the State
 21 Treasurer shall transfer the sum of \$8,250,000 from the General
 22 Revenue Fund to the Presidential Library and Museum Operating
 23 Fund.

24 (kk) In addition to any other transfers that may be
 25 provided for by law, on July 1, 2006, or as soon thereafter as
 26 practical, the State Comptroller shall direct and the State

1 Treasurer shall transfer the sum of \$1,400,000 from the General
2 Revenue Fund to the Violence Prevention Fund.

3 (ll) In addition to any other transfers that may be
4 provided for by law, on the first day of each calendar quarter
5 of the fiscal year beginning July 1, 2006, or as soon
6 thereafter as practical, the State Comptroller shall direct and
7 the State Treasurer shall transfer from the General Revenue
8 Fund amounts equal to one-fourth of \$20,000,000 to the
9 Renewable Energy Resources Trust Fund.

10 (mm) In addition to any other transfers that may be
11 provided for by law, on July 1, 2006, or as soon thereafter as
12 practical, the State Comptroller shall direct and the State
13 Treasurer shall transfer the sum of \$1,320,000 from the General
14 Revenue Fund to the I-FLY Fund.

15 (nn) In addition to any other transfers that may be
16 provided for by law, on July 1, 2006, or as soon thereafter as
17 practical, the State Comptroller shall direct and the State
18 Treasurer shall transfer the sum of \$3,000,000 from the General
19 Revenue Fund to the African-American HIV/AIDS Response Fund.

20 (oo) In addition to any other transfers that may be
21 provided for by law, on and after July 1, 2006 and until June
22 30, 2007, at the direction of and upon notification from the
23 Governor, the State Comptroller shall direct and the State
24 Treasurer shall transfer amounts identified as net receipts
25 from the sale of all or part of the Illinois Student Assistance
26 Commission loan portfolio from the Student Loan Operating Fund

1 to the General Revenue Fund. The maximum amount that may be
2 transferred pursuant to this Section is \$38,800,000. In
3 addition, no transfer may be made pursuant to this Section that
4 would have the effect of reducing the available balance in the
5 Student Loan Operating Fund to an amount less than the amount
6 remaining unexpended and unreserved from the total
7 appropriations from the Fund estimated to be expended for the
8 fiscal year. The State Treasurer and Comptroller shall transfer
9 the amounts designated under this Section as soon as may be
10 practical after receiving the direction to transfer from the
11 Governor.

12 (pp) In addition to any other transfers that may be
13 provided for by law, on July 1, 2006, or as soon thereafter as
14 practical, the State Comptroller shall direct and the State
15 Treasurer shall transfer the sum of \$2,000,000 from the General
16 Revenue Fund to the Illinois Veterans Assistance Fund.

17 (qq) In addition to any other transfers that may be
18 provided for by law, on and after July 1, 2007 and until May 1,
19 2008, at the direction of and upon notification from the
20 Governor, the State Comptroller shall direct and the State
21 Treasurer shall transfer amounts not exceeding a total of
22 \$80,000,000 from the General Revenue Fund to the Tobacco
23 Settlement Recovery Fund. Any amounts so transferred shall be
24 retransferred by the State Comptroller and the State Treasurer
25 from the Tobacco Settlement Recovery Fund to the General
26 Revenue Fund at the direction of and upon notification from the

1 Governor, but in any event on or before June 30, 2008.

2 (rr) In addition to any other transfers that may be
3 provided for by law, on and after July 1, 2007 and until June
4 30, 2008, at the direction of and upon notification from the
5 Governor, the State Comptroller shall direct and the State
6 Treasurer shall transfer amounts from the Illinois Affordable
7 Housing Trust Fund to the designated funds not exceeding the
8 following amounts:

- 9 DCFs Children's Services Fund \$2,200,000
- 10 Department of Corrections Reimbursement
- 11 and Education Fund \$1,500,000
- 12 Supplemental Low-Income Energy
- 13 Assistance Fund..... \$75,000

14 (ss) In addition to any other transfers that may be
15 provided for by law, on July 1, 2007, or as soon thereafter as
16 practical, the State Comptroller shall direct and the State
17 Treasurer shall transfer the sum of \$8,250,000 from the General
18 Revenue Fund to the Presidential Library and Museum Operating
19 Fund.

20 (tt) In addition to any other transfers that may be
21 provided for by law, on July 1, 2007, or as soon thereafter as
22 practical, the State Comptroller shall direct and the State
23 Treasurer shall transfer the sum of \$1,400,000 from the General
24 Revenue Fund to the Violence Prevention Fund.

25 (uu) In addition to any other transfers that may be
26 provided for by law, on July 1, 2007, or as soon thereafter as

1 practical, the State Comptroller shall direct and the State
2 Treasurer shall transfer the sum of \$1,320,000 from the General
3 Revenue Fund to the I-FLY Fund.

4 (vv) In addition to any other transfers that may be
5 provided for by law, on July 1, 2007, or as soon thereafter as
6 practical, the State Comptroller shall direct and the State
7 Treasurer shall transfer the sum of \$3,000,000 from the General
8 Revenue Fund to the African-American HIV/AIDS Response Fund.

9 (ww) In addition to any other transfers that may be
10 provided for by law, on July 1, 2007, or as soon thereafter as
11 practical, the State Comptroller shall direct and the State
12 Treasurer shall transfer the sum of \$3,500,000 from the General
13 Revenue Fund to the Predatory Lending Database Program Fund.

14 (xx) In addition to any other transfers that may be
15 provided for by law, on July 1, 2007, or as soon thereafter as
16 practical, the State Comptroller shall direct and the State
17 Treasurer shall transfer the sum of \$5,000,000 from the General
18 Revenue Fund to the Digital Divide Elimination Fund.

19 (yy) In addition to any other transfers that may be
20 provided for by law, on July 1, 2007, or as soon thereafter as
21 practical, the State Comptroller shall direct and the State
22 Treasurer shall transfer the sum of \$4,000,000 from the General
23 Revenue Fund to the Digital Divide Elimination Infrastructure
24 Fund.

25 (zz) In addition to any other transfers that may be
26 provided for by law, on July 1, 2008, or as soon thereafter as

1 practical, the State Comptroller shall direct and the State
2 Treasurer shall transfer the sum of \$5,000,000 from the General
3 Revenue Fund to the Digital Divide Elimination Fund.

4 (aaa) In addition to any other transfers that may be
5 provided for by law, on and after July 1, 2008 and until May 1,
6 2009, at the direction of and upon notification from the
7 Governor, the State Comptroller shall direct and the State
8 Treasurer shall transfer amounts not exceeding a total of
9 \$80,000,000 from the General Revenue Fund to the Tobacco
10 Settlement Recovery Fund. Any amounts so transferred shall be
11 retransferred by the State Comptroller and the State Treasurer
12 from the Tobacco Settlement Recovery Fund to the General
13 Revenue Fund at the direction of and upon notification from the
14 Governor, but in any event on or before June 30, 2009.

15 (bbb) In addition to any other transfers that may be
16 provided for by law, on and after July 1, 2008 and until June
17 30, 2009, at the direction of and upon notification from the
18 Governor, the State Comptroller shall direct and the State
19 Treasurer shall transfer amounts from the Illinois Affordable
20 Housing Trust Fund to the designated funds not exceeding the
21 following amounts:

| | | |
|----|---|-------------|
| 22 | DCFS Children's Services Fund | \$2,200,000 |
| 23 | Department of Corrections Reimbursement | |
| 24 | and Education Fund | \$1,500,000 |
| 25 | Supplemental Low-Income Energy | |
| 26 | Assistance Fund | \$75,000 |

1 (ccc) In addition to any other transfers that may be
2 provided for by law, on July 1, 2008, or as soon thereafter as
3 practical, the State Comptroller shall direct and the State
4 Treasurer shall transfer the sum of \$7,450,000 from the General
5 Revenue Fund to the Presidential Library and Museum Operating
6 Fund.

7 (ddd) In addition to any other transfers that may be
8 provided for by law, on July 1, 2008, or as soon thereafter as
9 practical, the State Comptroller shall direct and the State
10 Treasurer shall transfer the sum of \$1,400,000 from the General
11 Revenue Fund to the Violence Prevention Fund.

12 (eee) In addition to any other transfers that may be
13 provided for by law, on July 1, 2009, or as soon thereafter as
14 practical, the State Comptroller shall direct and the State
15 Treasurer shall transfer the sum of \$5,000,000 from the General
16 Revenue Fund to the Digital Divide Elimination Fund.

17 (fff) In addition to any other transfers that may be
18 provided for by law, on and after July 1, 2009 and until May 1,
19 2010, at the direction of and upon notification from the
20 Governor, the State Comptroller shall direct and the State
21 Treasurer shall transfer amounts not exceeding a total of
22 \$80,000,000 from the General Revenue Fund to the Tobacco
23 Settlement Recovery Fund. Any amounts so transferred shall be
24 retransferred by the State Comptroller and the State Treasurer
25 from the Tobacco Settlement Recovery Fund to the General
26 Revenue Fund at the direction of and upon notification from the

1 Governor, but in any event on or before June 30, 2010.

2 (ggg) In addition to any other transfers that may be
3 provided for by law, on July 1, 2009, or as soon thereafter as
4 practical, the State Comptroller shall direct and the State
5 Treasurer shall transfer the sum of \$7,450,000 from the General
6 Revenue Fund to the Presidential Library and Museum Operating
7 Fund.

8 (hhh) In addition to any other transfers that may be
9 provided for by law, on July 1, 2009, or as soon thereafter as
10 practical, the State Comptroller shall direct and the State
11 Treasurer shall transfer the sum of \$1,400,000 from the General
12 Revenue Fund to the Violence Prevention Fund.

13 (iii) In addition to any other transfers that may be
14 provided for by law, on July 1, 2009, or as soon thereafter as
15 practical, the State Comptroller shall direct and the State
16 Treasurer shall transfer the sum of \$100,000 from the General
17 Revenue Fund to the Heartsaver AED Fund.

18 (jjj) In addition to any other transfers that may be
19 provided for by law, on and after July 1, 2009 and until June
20 30, 2010, at the direction of and upon notification from the
21 Governor, the State Comptroller shall direct and the State
22 Treasurer shall transfer amounts not exceeding a total of
23 \$17,000,000 from the General Revenue Fund to the DCFS
24 Children's Services Fund.

25 (lll) In addition to any other transfers that may be
26 provided for by law, on July 1, 2009, or as soon thereafter as

1 practical, the State Comptroller shall direct and the State
2 Treasurer shall transfer the sum of \$5,000,000 from the General
3 Revenue Fund to the Communications Revolving Fund.

4 (mmm) In addition to any other transfers that may be
5 provided for by law, on July 1, 2009, or as soon thereafter as
6 practical, the State Comptroller shall direct and the State
7 Treasurer shall transfer the sum of \$9,700,000 from the General
8 Revenue Fund to the Senior Citizens Real Estate Deferred Tax
9 Revolving Fund.

10 (nnn) In addition to any other transfers that may be
11 provided for by law, on July 1, 2009, or as soon thereafter as
12 practical, the State Comptroller shall direct and the State
13 Treasurer shall transfer the sum of \$565,000 from the FY09
14 Budget Relief Fund to the Horse Racing Fund.

15 (ooo) In addition to any other transfers that may be
16 provided by law, on July 1, 2009, or as soon thereafter as
17 practical, the State Comptroller shall direct and the State
18 Treasurer shall transfer the sum of \$600,000 from the General
19 Revenue Fund to the Temporary Relocation Expenses Revolving
20 Fund.

21 (Source: P.A. 95-331, eff. 8-21-07; 95-707, eff. 1-11-08;
22 95-744, eff. 7-18-08; 96-45, eff. 7-15-09.)

23 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

24 Sec. 13.2. Transfers among line item appropriations.

25 (a) Transfers among line item appropriations from the same

1 treasury fund for the objects specified in this Section may be
2 made in the manner provided in this Section when the balance
3 remaining in one or more such line item appropriations is
4 insufficient for the purpose for which the appropriation was
5 made.

6 (a-1) No transfers may be made from one agency to another
7 agency, nor may transfers be made from one institution of
8 higher education to another institution of higher education.

9 (a-2) Except as otherwise provided in this Section,
10 transfers may be made only among the objects of expenditure
11 enumerated in this Section, except that no funds may be
12 transferred from any appropriation for personal services, from
13 any appropriation for State contributions to the State
14 Employees' Retirement System, from any separate appropriation
15 for employee retirement contributions paid by the employer, nor
16 from any appropriation for State contribution for employee
17 group insurance. During State fiscal year 2005, an agency may
18 transfer amounts among its appropriations within the same
19 treasury fund for personal services, employee retirement
20 contributions paid by employer, and State Contributions to
21 retirement systems; notwithstanding and in addition to the
22 transfers authorized in subsection (c) of this Section, the
23 fiscal year 2005 transfers authorized in this sentence may be
24 made in an amount not to exceed 2% of the aggregate amount
25 appropriated to an agency within the same treasury fund. During
26 State fiscal year 2007, the Departments of Children and Family

1 Services, Corrections, Human Services, and Juvenile Justice
2 may transfer amounts among their respective appropriations
3 within the same treasury fund for personal services, employee
4 retirement contributions paid by employer, and State
5 contributions to retirement systems. During State fiscal year
6 2010, the Department of Transportation may transfer amounts
7 among their respective appropriations within the same treasury
8 fund for personal services, employee retirement contributions
9 paid by employer, and State contributions to retirement
10 systems. During State fiscal year 2010 only, an agency may
11 transfer amounts among its respective appropriations within
12 the same treasury fund for personal services, employee
13 retirement contributions paid by employer, and State
14 contributions to retirement systems. Notwithstanding, and in
15 addition to, the transfers authorized in subsection (c) of this
16 Section, these transfers may be made in an amount not to exceed
17 2% of the aggregate amount appropriated to an agency within the
18 same treasury fund.

19 (a-3) Further, if an agency receives a separate
20 appropriation for employee retirement contributions paid by
21 the employer, any transfer by that agency into an appropriation
22 for personal services must be accompanied by a corresponding
23 transfer into the appropriation for employee retirement
24 contributions paid by the employer, in an amount sufficient to
25 meet the employer share of the employee contributions required
26 to be remitted to the retirement system.

1 (b) In addition to the general transfer authority provided
2 under subsection (c), the following agencies have the specific
3 transfer authority granted in this subsection:

4 The Department of Healthcare and Family Services is
5 authorized to make transfers representing savings attributable
6 to not increasing grants due to the births of additional
7 children from line items for payments of cash grants to line
8 items for payments for employment and social services for the
9 purposes outlined in subsection (f) of Section 4-2 of the
10 Illinois Public Aid Code.

11 The Department of Children and Family Services is
12 authorized to make transfers not exceeding 2% of the aggregate
13 amount appropriated to it within the same treasury fund for the
14 following line items among these same line items: Foster Home
15 and Specialized Foster Care and Prevention, Institutions and
16 Group Homes and Prevention, and Purchase of Adoption and
17 Guardianship Services.

18 The Department on Aging is authorized to make transfers not
19 exceeding 2% of the aggregate amount appropriated to it within
20 the same treasury fund for the following Community Care Program
21 line items among these same line items: Homemaker and Senior
22 Companion Services, Alternative Senior Services, Case
23 Coordination Units, and Adult Day Care Services.

24 The State Treasurer is authorized to make transfers among
25 line item appropriations from the Capital Litigation Trust
26 Fund, with respect to costs incurred in fiscal years 2002 and

1 2003 only, when the balance remaining in one or more such line
2 item appropriations is insufficient for the purpose for which
3 the appropriation was made, provided that no such transfer may
4 be made unless the amount transferred is no longer required for
5 the purpose for which that appropriation was made.

6 The State Board of Education is authorized to make
7 transfers from line item appropriations within the same
8 treasury fund for General State Aid and General State Aid -
9 Hold Harmless, provided that no such transfer may be made
10 unless the amount transferred is no longer required for the
11 purpose for which that appropriation was made, to the line item
12 appropriation for Transitional Assistance when the balance
13 remaining in such line item appropriation is insufficient for
14 the purpose for which the appropriation was made.

15 The State Board of Education is authorized to make
16 transfers between the following line item appropriations
17 within the same treasury fund: Disabled Student
18 Services/Materials (Section 14-13.01 of the School Code),
19 Disabled Student Transportation Reimbursement (Section
20 14-13.01 of the School Code), Disabled Student Tuition -
21 Private Tuition (Section 14-7.02 of the School Code),
22 Extraordinary Special Education (Section 14-7.02b of the
23 School Code), Reimbursement for Free Lunch/Breakfast Program,
24 Summer School Payments (Section 18-4.3 of the School Code), and
25 Transportation - Regular/Vocational Reimbursement (Section
26 29-5 of the School Code). Such transfers shall be made only

1 when the balance remaining in one or more such line item
2 appropriations is insufficient for the purpose for which the
3 appropriation was made and provided that no such transfer may
4 be made unless the amount transferred is no longer required for
5 the purpose for which that appropriation was made.

6 During State fiscal year 2010 only, the Department of
7 Healthcare and Family Services is authorized to make transfers
8 not exceeding 4% of the aggregate amount appropriated to it,
9 within the same treasury fund, among the various line items
10 appropriated for Medical Assistance.

11 (c) The sum of such transfers for an agency in a fiscal
12 year shall not exceed 2% of the aggregate amount appropriated
13 to it within the same treasury fund for the following objects:
14 Personal Services; Extra Help; Student and Inmate
15 Compensation; State Contributions to Retirement Systems; State
16 Contributions to Social Security; State Contribution for
17 Employee Group Insurance; Contractual Services; Travel;
18 Commodities; Printing; Equipment; Electronic Data Processing;
19 Operation of Automotive Equipment; Telecommunications
20 Services; Travel and Allowance for Committed, Paroled and
21 Discharged Prisoners; Library Books; Federal Matching Grants
22 for Student Loans; Refunds; Workers' Compensation,
23 Occupational Disease, and Tort Claims; and, in appropriations
24 to institutions of higher education, Awards and Grants.
25 Notwithstanding the above, any amounts appropriated for
26 payment of workers' compensation claims to an agency to which

1 the authority to evaluate, administer and pay such claims has
2 been delegated by the Department of Central Management Services
3 may be transferred to any other expenditure object where such
4 amounts exceed the amount necessary for the payment of such
5 claims.

6 (c-1) Special provisions for State fiscal year 2003.
7 Notwithstanding any other provision of this Section to the
8 contrary, for State fiscal year 2003 only, transfers among line
9 item appropriations to an agency from the same treasury fund
10 may be made provided that the sum of such transfers for an
11 agency in State fiscal year 2003 shall not exceed 3% of the
12 aggregate amount appropriated to that State agency for State
13 fiscal year 2003 for the following objects: personal services,
14 except that no transfer may be approved which reduces the
15 aggregate appropriations for personal services within an
16 agency; extra help; student and inmate compensation; State
17 contributions to retirement systems; State contributions to
18 social security; State contributions for employee group
19 insurance; contractual services; travel; commodities;
20 printing; equipment; electronic data processing; operation of
21 automotive equipment; telecommunications services; travel and
22 allowance for committed, paroled, and discharged prisoners;
23 library books; federal matching grants for student loans;
24 refunds; workers' compensation, occupational disease, and tort
25 claims; and, in appropriations to institutions of higher
26 education, awards and grants.

1 (c-2) Special provisions for State fiscal year 2005.
2 Notwithstanding subsections (a), (a-2), and (c), for State
3 fiscal year 2005 only, transfers may be made among any line
4 item appropriations from the same or any other treasury fund
5 for any objects or purposes, without limitation, when the
6 balance remaining in one or more such line item appropriations
7 is insufficient for the purpose for which the appropriation was
8 made, provided that the sum of those transfers by a State
9 agency shall not exceed 4% of the aggregate amount appropriated
10 to that State agency for fiscal year 2005.

11 (d) Transfers among appropriations made to agencies of the
12 Legislative and Judicial departments and to the
13 constitutionally elected officers in the Executive branch
14 require the approval of the officer authorized in Section 10 of
15 this Act to approve and certify vouchers. Transfers among
16 appropriations made to the University of Illinois, Southern
17 Illinois University, Chicago State University, Eastern
18 Illinois University, Governors State University, Illinois
19 State University, Northeastern Illinois University, Northern
20 Illinois University, Western Illinois University, the Illinois
21 Mathematics and Science Academy and the Board of Higher
22 Education require the approval of the Board of Higher Education
23 and the Governor. Transfers among appropriations to all other
24 agencies require the approval of the Governor.

25 The officer responsible for approval shall certify that the
26 transfer is necessary to carry out the programs and purposes

1 for which the appropriations were made by the General Assembly
2 and shall transmit to the State Comptroller a certified copy of
3 the approval which shall set forth the specific amounts
4 transferred so that the Comptroller may change his records
5 accordingly. The Comptroller shall furnish the Governor with
6 information copies of all transfers approved for agencies of
7 the Legislative and Judicial departments and transfers
8 approved by the constitutionally elected officials of the
9 Executive branch other than the Governor, showing the amounts
10 transferred and indicating the dates such changes were entered
11 on the Comptroller's records.

12 (e) The State Board of Education, in consultation with the
13 State Comptroller, may transfer line item appropriations for
14 General State Aid from the Common School Fund to the Education
15 Assistance Fund.

16 (Source: P.A. 95-707, eff. 1-11-08; 96-37, eff. 7-13-09.)

17 ARTICLE 10. PARK AND RECREATIONAL FACILITY CONSTRUCTION

18 Section 10-1. Short title. This Act may be cited as the
19 Park and Recreational Facility Construction Act of 2009.
20 References in this Article to "this Act" mean this Article.

21 Section 10-5. Definitions. As used in this Act:

22 "Department" means the Department of Natural Resources.

23 "Applicant" means a local government that files an

1 application for grant under this Act.

2 "Director" means the Director of Natural Resources.

3 "Local government" includes counties, townships,
4 municipalities, park districts, conservation districts, forest
5 preserve districts, river conservancy districts, and any other
6 unit of local government empowered to expend public funds for
7 the acquisition and development of land for public outdoor
8 park, recreation, or conservation purposes.

9 "Disadvantaged" means an eligible local government located
10 within a Standard Metropolitan Statistical Area (SMSA) with a
11 per capita equalized assessed valuation (EAV) less than 60% of
12 the State average and more than 15% of the population below the
13 national poverty level and not containing a University in the
14 community, or a unit of government located outside an SMSA with
15 an EAV less than 50% of the State average and more than 20% of
16 its population below the poverty level and not containing a
17 University in the community.

18 "Park or recreation unit construction project" means the
19 acquisition, development, construction, reconstruction,
20 rehabilitation, improvement, architectural planning, and
21 installation, of (i) capital facilities consisting of
22 buildings, structures, and land for park or recreation purposes
23 and (ii) open spaces and natural areas, as those terms are
24 defined in Section 10 of the Illinois Open Land Trust Act.

25 Section 10-10. Grant awards. The Department is authorized

1 to make grants for park or recreation unit construction
2 projects with funds appropriated for that purpose from the
3 Build Illinois Bond Fund.

4 No single construction project may be eligible to receive
5 more than 10% of the amount so appropriated for any fiscal
6 year, and no more than 10% of the total appropriation may be
7 committed or expended on any one construction project described
8 in an application under this Act.

9 Of the total amount of funds for construction projects
10 awarded statewide, 20% shall be awarded to the Chicago Park
11 District, provided that the Chicago Park District complies with
12 the provisions of this Act, and 80% shall be awarded to local
13 government units outside of the City of Chicago.

14 Any local government awarded a construction project grant
15 under this Act shall be eligible for State funding assistance
16 up to 75% of the approved project costs. Those local
17 governments defined as "disadvantaged" shall be eligible for up
18 to 90% State funding assistance, provided that no more than 10%
19 of the amount so appropriated in any fiscal year under this Act
20 is made available for such local governments.

21 No grant funds awarded by the Department pursuant to this
22 Act shall be used for operational costs.

23 Section 10-15. Grants. Any local government may apply to
24 the Department for a grant under this Act. An application must
25 be in writing and contain a narrative description of the

1 project, the legal description of the open lands to be acquired
2 or used for the capital development project, a current
3 appraisal performed by an Illinois licensed appraiser showing
4 the fair market value of those lands to be acquired, the
5 estimated project cost, identification of a source of
6 continuous funding sufficient to maintain the new facilities to
7 be created by capital development, the amount of the project
8 cost the applicant proposes to provide, and such other
9 information as required by the Department.

10 Section 10-20. Priorities for projects. In considering
11 applications for grants under this Act, the Department shall
12 give priority to projects that will provide the greatest
13 benefit to the residents of the State, based upon criteria
14 established by the Department in rules promulgated pursuant to
15 this Act which reflect the useful life of existing facilities
16 and improvements, address public health and safety needs,
17 correct accessibility deficiencies, and reflect outdoor
18 recreation needs and priorities identified through the
19 Department's Statewide Comprehensive Outdoor Recreation Plan
20 (SCORP) Program.

21 Section 10-25. Consideration of applications. The
22 Department shall consider all applications for grants filed
23 prior to a deadline established by the Department for a fiscal
24 year before awarding any grants for that year. The Department

1 shall evaluate those applications that have been timely filed
2 in accordance with the rules promulgated by the Department
3 pursuant to and consistent with the provisions of this Act.

4 Section 10-30. Supervision of park or recreation unit
5 construction projects. The Department shall exercise general
6 supervision over park or recreation unit construction projects
7 financed pursuant to this Act. No project may be disapproved by
8 the Department solely due to a park or recreation unit's
9 selection of an architect or engineer.

10 Section 10-35. Limitation of grant award period. No grant
11 awarded pursuant to this Act shall have an initial term
12 exceeding 3 years beginning on the date of first execution of
13 the grant agreement by the Department. Each local government
14 awarded a grant under this Act may apply for one-year
15 extensions of the grant term if unforeseen and uncontrollable
16 delays in construction are experienced and documented. The
17 grantee must provide written documentation to the Department
18 that significant progress has been made toward completing the
19 construction project and must provide a reasonable estimate of
20 additional time needed for completion before an extension will
21 be considered. If a construction project is terminated by the
22 Department, unexpended funds may be used by the Department
23 subject to appropriation.

1 Section 10-40. Rules. The Department shall promulgate such
2 rules as it deems necessary for carrying out its
3 responsibilities under the provisions of this Act.

4 Section 10-45. Progress reports. Progress reports on the
5 implementation and development of this Act shall be filed no
6 later than January 15 of every odd-numbered year with the
7 Governor and the General Assembly until such time as funds are
8 no longer appropriated for this program. Reports shall include
9 a statement of goals and objectives and quantifiable support
10 documentation as expenditures, allocation of funds by
11 location, including performance and measurement criteria
12 sufficient to enable the Governor and General Assembly to
13 properly evaluate and review program effectiveness.

14 ARTICLE 99. EFFECTIVE DATE

15 Section 99-99. Effective date. This Act takes effect upon
16 becoming law.".