

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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
14 18.4 as follows:

15 (20 ILCS 1705/18.4)

16 Sec. 18.4. Community Mental Health Medicaid Trust Fund;
17 reimbursement.

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

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

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

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

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

18 (4) Any additional amounts shall be deposited into the
19 Community Mental Health Medicaid Trust Fund to be used for
20 the purchase of community mental health services.

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

26 (c) The Department shall reimburse community mental health

1 providers for services provided to eligible individuals.
2 Moneys in the Community Mental Health Medicaid Trust Fund may
3 be used for that purpose.

4 (d) As used in this Section:

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

7 "Service" means a mental health service provided pursuant
8 to the provisions of administrative rules adopted by the
9 Department and funded by or claimed through the Department of
10 Human Services' Division of Mental Health.

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

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

14 (20 ILCS 3305/5) (from Ch. 127, par. 1055)

15 Sec. 5. Illinois Emergency Management Agency.

16 (a) There is created within the executive branch of the
17 State Government an Illinois Emergency Management Agency and a
18 Director of the Illinois Emergency Management Agency, herein
19 called the "Director" who shall be the head thereof. The
20 Director shall be appointed by the Governor, with the advice
21 and consent of the Senate, and shall serve for a term of 2
22 years beginning on the third Monday in January of the
23 odd-numbered year, and until a successor is appointed and has
24 qualified; except that the term of the first Director appointed

1 under this Act shall expire on the third Monday in January,
2 1989. The Director shall not hold any other remunerative public
3 office. The Director shall receive an annual salary as set by
4 the Governor from time to time or the amount set by the
5 Compensation Review Board, whichever is higher. If set by the
6 Governor, the Director's annual salary may not exceed 85% of
7 the Governor's annual salary.

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

18 (c) The Director, subject to the direction and control of
19 the Governor, shall be the executive head of the Illinois
20 Emergency Management Agency and the State Emergency Response
21 Commission and shall be responsible under the direction of the
22 Governor, for carrying out the program for emergency management
23 of this State. The Director shall also maintain liaison and
24 cooperate with the emergency management organizations of this
25 State and other states and of the federal government.

26 (d) The Illinois Emergency Management Agency shall take an

1 integral part in the development and revision of political
2 subdivision emergency operations plans prepared under
3 paragraph (f) of Section 10. To this end it shall employ or
4 otherwise secure the services of professional and technical
5 personnel capable of providing expert assistance to the
6 emergency services and disaster agencies. These personnel
7 shall consult with emergency services and disaster agencies on
8 a regular basis and shall make field examinations of the areas,
9 circumstances, and conditions that particular political
10 subdivision emergency operations plans are intended to apply.

11 (e) The Illinois Emergency Management Agency and political
12 subdivisions shall be encouraged to form an emergency
13 management advisory committee composed of private and public
14 personnel representing the emergency management phases of
15 mitigation, preparedness, response, and recovery. The Local
16 Emergency Planning Committee, as created under the Illinois
17 Emergency Planning and Community Right to Know Act, shall serve
18 as an advisory committee to the emergency services and disaster
19 agency or agencies serving within the boundaries of that Local
20 Emergency Planning Committee planning district for:

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

23 (2) the assessment of emergency response capabilities
24 related to hazardous chemical emergencies.

25 (f) The Illinois Emergency Management Agency shall:

26 (1) Coordinate the overall emergency management

1 program of the State.

2 (2) Cooperate with local governments, the federal
3 government and any public or private agency or entity in
4 achieving any purpose of this Act and in implementing
5 emergency management programs for mitigation,
6 preparedness, response, and recovery.

7 (2.5) Develop a comprehensive emergency preparedness
8 and response plan for any nuclear accident in accordance
9 with Section 65 of the Department of Nuclear Safety Law of
10 2004 (20 ILCS 3310) and in development of the Illinois
11 Nuclear Safety Preparedness program in accordance with
12 Section 8 of the Illinois Nuclear Safety Preparedness Act.

13 (2.6) Coordinate with the Department of Public Health
14 with respect to planning for and responding to public
15 health emergencies.

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

19 (4) Promulgate rules and requirements for political
20 subdivision emergency operations plans that are not
21 inconsistent with and are at least as stringent as
22 applicable federal laws and regulations.

23 (5) Review and approve, in accordance with Illinois
24 Emergency Management Agency rules, emergency operations
25 plans for those political subdivisions required to have an
26 emergency services and disaster agency pursuant to this

1 Act.

2 (5.5) Promulgate rules and requirements for the
3 political subdivision emergency management exercises,
4 including, but not limited to, exercises of the emergency
5 operations plans.

6 (5.10) Review, evaluate, and approve, in accordance
7 with Illinois Emergency Management Agency rules, political
8 subdivision emergency management exercises for those
9 political subdivisions required to have an emergency
10 services and disaster agency pursuant to this Act.

11 (6) Determine requirements of the State and its
12 political subdivisions for food, clothing, and other
13 necessities in event of a disaster.

14 (7) Establish a register of persons with types of
15 emergency management training and skills in mitigation,
16 preparedness, response, and recovery.

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

19 (9) Expand the Earthquake Awareness Program and its
20 efforts to distribute earthquake preparedness materials to
21 schools, political subdivisions, community groups, civic
22 organizations, and the media. Emphasis will be placed on
23 those areas of the State most at risk from an earthquake.
24 Maintain the list of all school districts, hospitals,
25 airports, power plants, including nuclear power plants,
26 lakes, dams, emergency response facilities of all types,

1 and all other major public or private structures which are
2 at the greatest risk of damage from earthquakes under
3 circumstances where the damage would cause subsequent harm
4 to the surrounding communities and residents.

5 (10) Disseminate all information, completely and
6 without delay, on water levels for rivers and streams and
7 any other data pertaining to potential flooding supplied by
8 the Division of Water Resources within the Department of
9 Natural Resources to all political subdivisions to the
10 maximum extent possible.

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

20 (11.5) In coordination with the Department of State
21 Police, develop and implement a community outreach program
22 to promote awareness among the State's parents and children
23 of child abduction prevention and response.

24 (12) Out of funds appropriated for these purposes,
25 award capital and non-capital grants to Illinois hospitals
26 or health care facilities located outside of a city with a

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

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

20 (g) The Illinois Emergency Management Agency is authorized
21 to make grants to various higher education institutions for
22 safety and security improvements. For the purpose of this
23 subsection (g), "higher education institution" means a public
24 university, a public community college, or an independent,
25 not-for-profit or for-profit higher education institution
26 located in this State. Grants made under this subsection (g)

1 shall be paid out of moneys appropriated for that purpose from
2 the Build Illinois Bond Fund. The Illinois Emergency Management
3 Agency shall adopt rules to implement this subsection (g).
4 These rules may specify: (i) the manner of applying for grants;
5 (ii) project eligibility requirements; (iii) restrictions on
6 the use of grant moneys; (iv) the manner in which the various
7 higher education institutions must account for the use of grant
8 moneys; and (v) any other provision that the Illinois Emergency
9 Management Agency determines to be necessary or useful for the
10 administration of this subsection (g).

11 (Source: P.A. 93-249, eff. 7-22-03; 93-310, eff. 7-23-03;
12 94-334, eff. 1-1-06.)

13 Section 5-10. The State Finance Act is amended by changing
14 Sections 6z-78, 8g, and 13.2 and by adding Sections 5.755 and
15 6z-81 as follows:

16 (30 ILCS 105/5.755 new)

17 Sec. 5.755. The Healthcare Provider Relief Fund.

18 (30 ILCS 105/6z-78)

19 Sec. 6z-78. Capital Projects Fund; bonded indebtedness;
20 transfers. Money in the Capital Projects Fund shall, if and
21 when the State of Illinois incurs any bonded indebtedness using
22 the bond authorization enacted in this amendatory Act of the
23 96th General Assembly, be set aside and used for the purpose of

1 paying and discharging annually the principal and interest on
2 that bonded indebtedness then due and payable.

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

17 (a) Except as provided for in subsection (b), on ~~On~~ or
18 before the last day of each month, the State Treasurer and
19 State Comptroller shall transfer from the Capital Projects Fund
20 to the General Obligation Bond Retirement and Interest Fund an
21 amount sufficient to pay the aggregate of the principal of,
22 interest on, and premium, if any, on the bonds payable on their
23 next payment date, divided by the number of monthly transfers
24 occurring between the last previous payment date (or the
25 delivery date if no payment date has yet occurred) and the next
26 succeeding payment date. Interest payable on variable rate

1 bonds shall be calculated at the maximum rate of interest that
2 may be payable for the relevant period, after taking into
3 account any credits permitted in the related indenture or other
4 instrument against the amount of such interest required to be
5 appropriated for that period. Interest for which moneys have
6 already been deposited into the capitalized interest account
7 within the General Obligation Bond Retirement and Interest Fund
8 shall not be included in the calculation of the amounts to be
9 transferred under this subsection.

10 (b) On or before the last day of each month, the State
11 Treasurer and State Comptroller shall transfer from the Capital
12 Projects Fund to the General Obligation Bond Retirement and
13 Interest Fund an amount sufficient to pay the aggregate of the
14 principal of, interest on, and premium, if any, on the bonds
15 issued prior to January 1, 2012 pursuant to Section 4(d) of the
16 General Obligation Bond Act payable on their next payment date,
17 divided by the number of monthly transfers occurring between
18 the last previous payment date (or the delivery date if no
19 payment date has yet occurred) and the next succeeding payment
20 date. If the available balance in the Capital Projects Fund is
21 not sufficient for the transfer required in this subsection,
22 the State Treasurer and State Comptroller shall transfer the
23 difference from the Road Fund to the General Obligation Bond
24 Retirement and Interest Fund; except that such Road Fund
25 transfers shall constitute a debt of the Capital Projects Fund
26 which shall be repaid according to subsection (c). Interest

1 payable on variable rate bonds shall be calculated at the
2 maximum rate of interest that may be payable for the relevant
3 period, after taking into account any credits permitted in the
4 related indenture or other instrument against the amount of
5 such interest required to be appropriated for that period.
6 Interest for which moneys have already been deposited into the
7 capitalized interest account within the General Obligation
8 Bond Retirement and Interest Fund shall not be included in the
9 calculation of the amounts to be transferred under this
10 subsection.

11 (c) On the first day of any month when the Capital Projects
12 Fund is carrying a debt to the Road Fund due to the provisions
13 of subsection (b), the State Treasurer and State Comptroller
14 shall transfer from the Capital Projects Fund to the Road Fund
15 an amount sufficient to discharge that debt. These transfers to
16 the Road Fund shall continue until the Capital Projects Fund
17 has repaid to the Road Fund all transfers made from the Road
18 Fund pursuant to subsection (b). Notwithstanding any other law
19 to the contrary, transfers to the Road Fund from the Capital
20 Projects Fund shall be made prior to any other expenditures or
21 transfers out of the Capital Projects Fund.

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

23 (30 ILCS 105/6z-81 new)

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

25 (a) There is created in the State treasury a special fund

1 to be known as the Healthcare Provider Relief Fund.

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

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

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

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

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

17 (1) Moneys received by the State from short-term
18 borrowing pursuant to the Short Term Borrowing Act on or
19 after the effective date of this amendatory Act of the 96th
20 General Assembly.

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

25 (3) All federal matching funds received by the Illinois
26 Department of Healthcare and Family Services as a result of

1 federal approval of Title XIX State plan amendment
2 transmittal number 07-09.

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

5 (30 ILCS 105/8g)

6 Sec. 8g. Fund transfers.

7 (a) In addition to any other transfers that may be provided
8 for by law, as soon as may be practical after the effective
9 date of this amendatory Act of the 91st General Assembly, the
10 State Comptroller shall direct and the State Treasurer shall
11 transfer the sum of \$10,000,000 from the General Revenue Fund
12 to the Motor Vehicle License Plate Fund created by Senate Bill
13 1028 of the 91st General Assembly.

14 (b) 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 \$25,000,000 from the General Revenue Fund
19 to the Fund for Illinois' Future created by Senate Bill 1066 of
20 the 91st General Assembly.

21 (c) In addition to any other transfers that may be provided
22 for by law, on August 30 of each fiscal year's license period,
23 the Illinois Liquor Control Commission shall direct and the
24 State Comptroller and State Treasurer shall transfer from the
25 General Revenue Fund to the Youth Alcoholism and Substance

1 Abuse Prevention Fund an amount equal to the number of retail
2 liquor licenses issued for that fiscal year multiplied by \$50.

3 (d) The payments to programs required under subsection (d)
4 of Section 28.1 of the Horse Racing Act of 1975 shall be made,
5 pursuant to appropriation, from the special funds referred to
6 in the statutes cited in that subsection, rather than directly
7 from the General Revenue Fund.

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

23 (e) In addition to any other transfers that may be provided
24 for by law, as soon as may be practical after the effective
25 date of this amendatory Act of the 91st General Assembly, but
26 in no event later than June 30, 2000, the State Comptroller

1 shall direct and the State Treasurer shall transfer the sum of
2 \$15,000,000 from the General Revenue Fund to the Fund for
3 Illinois' Future.

4 (f) 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 \$70,000,000 from the General Revenue Fund to the Long-Term Care
10 Provider Fund.

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

17 (g) In addition to any other transfers that may be provided
18 for by law, on July 1, 2001, or as soon thereafter as may be
19 practical, the State Comptroller shall direct and the State
20 Treasurer shall transfer the sum of \$1,200,000 from the General
21 Revenue Fund to the Violence Prevention Fund.

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

1 (i) On or after July 1, 2001 and until May 1, 2002, in
2 addition to any other transfers that may be provided for by
3 law, at the direction of and upon notification from the
4 Governor, the State Comptroller shall direct and the State
5 Treasurer shall transfer amounts not exceeding a total of
6 \$80,000,000 from the General Revenue Fund to the Tobacco
7 Settlement Recovery Fund. Any amounts so transferred shall be
8 re-transferred by the State Comptroller and the State Treasurer
9 from the Tobacco Settlement Recovery Fund to the General
10 Revenue Fund at the direction of and upon notification from the
11 Governor, but in any event on or before June 30, 2002.

12 (i-1) On or after July 1, 2002 and until May 1, 2003, in
13 addition to any other transfers that may be provided for by
14 law, at the direction of and upon notification from the
15 Governor, the State Comptroller shall direct and the State
16 Treasurer shall transfer amounts not exceeding a total of
17 \$80,000,000 from the General Revenue Fund to the Tobacco
18 Settlement Recovery Fund. Any amounts so transferred shall be
19 re-transferred by the State Comptroller and the State Treasurer
20 from the Tobacco Settlement Recovery Fund to the General
21 Revenue Fund at the direction of and upon notification from the
22 Governor, but in any event on or before June 30, 2003.

23 (j) On or after July 1, 2001 and no later than June 30,
24 2002, 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	From the General Revenue Fund	\$8,450,000
4	From the Public Utility Fund	1,700,000
5	From the Transportation Regulatory Fund	2,650,000
6	From the Title III Social Security and	
7	Employment Fund	3,700,000
8	From the Professions Indirect Cost Fund	4,050,000
9	From the Underground Storage Tank Fund	550,000
10	From the Agricultural Premium Fund	750,000
11	From the State Pensions Fund	200,000
12	From the Road Fund	2,000,000
13	From the Health Facilities	
14	Planning Fund	1,000,000
15	From the Savings and Residential Finance	
16	Regulatory Fund	130,800
17	From the Appraisal Administration Fund	28,600
18	From the Pawnbroker Regulation Fund	3,600
19	From the Auction Regulation	
20	Administration Fund	35,800
21	From the Bank and Trust Company Fund.....	634,800
22	From the Real Estate License	
23	Administration Fund	313,600

24 (k) In addition to any other transfers that may be provided
 25 for by law, as soon as may be practical after the effective
 26 date of this amendatory Act of the 92nd General Assembly, the

1 State Comptroller shall direct and the State Treasurer shall
2 transfer the sum of \$2,000,000 from the General Revenue Fund to
3 the Teachers Health Insurance Security Fund.

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

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

16 (k-3) On or after July 1, 2002 and no later than June 30,
17 2003, in addition to any other transfers that may be provided
18 for by law, at the direction of and upon notification from the
19 Governor, the State Comptroller shall direct and the State
20 Treasurer shall transfer amounts not to exceed the following
21 sums into the Statistical Services Revolving Fund:

22	Appraisal Administration Fund	\$150,000
23	General Revenue Fund	10,440,000
24	Savings and Residential Finance	
25	Regulatory Fund	200,000
26	State Pensions Fund	100,000

1	Bank and Trust Company Fund	100,000
2	Professions Indirect Cost Fund	3,400,000
3	Public Utility Fund	2,081,200
4	Real Estate License Administration Fund	150,000
5	Title III Social Security and	
6	Employment Fund	1,000,000
7	Transportation Regulatory Fund	3,052,100
8	Underground Storage Tank Fund	50,000

9 (1) In addition to any other transfers that may be provided
10 for by law, on July 1, 2002, or as soon as may be practical
11 thereafter, the State Comptroller shall direct and the State
12 Treasurer shall transfer the sum of \$3,000,000 from the General
13 Revenue Fund to the Presidential Library and Museum Operating
14 Fund.

15 (m) In addition to any other transfers that may be provided
16 for by law, on July 1, 2002 and on the effective date of this
17 amendatory Act of the 93rd General Assembly, or as soon
18 thereafter as may be practical, the State Comptroller shall
19 direct and the State Treasurer shall transfer the sum of
20 \$1,200,000 from the General Revenue Fund to the Violence
21 Prevention Fund.

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

1 (o) On or after July 1, 2003, and no later than June 30,
2 2004, in addition to any other transfers that may be provided
3 for by law, at the direction of and upon notification from the
4 Governor, the State Comptroller shall direct and the State
5 Treasurer shall transfer amounts not to exceed the following
6 sums into the Vehicle Inspection Fund:

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

8 (p) On or after July 1, 2003 and until May 1, 2004, 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 from the Tobacco Settlement Recovery Fund to the
16 General Revenue Fund at the direction of and upon notification
17 from the Governor, but in any event on or before June 30, 2004.

18 (q) In addition to any other transfers that may be provided
19 for by law, on July 1, 2003, or as soon as may be practical
20 thereafter, the State Comptroller shall direct and the State
21 Treasurer shall transfer the sum of \$5,000,000 from the General
22 Revenue Fund to the Illinois Military Family Relief Fund.

23 (r) In addition to any other transfers that may be provided
24 for by law, on July 1, 2003, or as soon as may be practical
25 thereafter, the State Comptroller shall direct and the State
26 Treasurer shall transfer the sum of \$1,922,000 from the General

1 Revenue Fund to the Presidential Library and Museum Operating
2 Fund.

3 (s) In addition to any other transfers that may be provided
4 for by law, on or after July 1, 2003, the State Comptroller
5 shall direct and the State Treasurer shall transfer the sum of
6 \$4,800,000 from the Statewide Economic Development Fund to the
7 General Revenue Fund.

8 (t) In addition to any other transfers that may be provided
9 for by law, on or after July 1, 2003, the State Comptroller
10 shall direct and the State Treasurer shall transfer the sum of
11 \$50,000,000 from the General Revenue Fund to the Budget
12 Stabilization Fund.

13 (u) On or after July 1, 2004 and until May 1, 2005, in
14 addition to any other transfers that may be provided for by
15 law, at the direction of and upon notification from the
16 Governor, the State Comptroller shall direct and the State
17 Treasurer shall transfer amounts not exceeding a total of
18 \$80,000,000 from the General Revenue Fund to the Tobacco
19 Settlement Recovery Fund. Any amounts so transferred shall be
20 retransferred by the State Comptroller and the State Treasurer
21 from the Tobacco Settlement Recovery Fund to the General
22 Revenue Fund at the direction of and upon notification from the
23 Governor, but in any event on or before June 30, 2005.

24 (v) In addition to any other transfers that may be provided
25 for by law, on July 1, 2004, 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 (w) In addition to any other transfers that may be provided
4 for by law, on July 1, 2004, or as soon thereafter as may be
5 practical, the State Comptroller shall direct and the State
6 Treasurer shall transfer the sum of \$6,445,000 from the General
7 Revenue Fund to the Presidential Library and Museum Operating
8 Fund.

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

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

15 From the State Police Wireless Service Emergency Fund,
16 \$200,000;

17 From the State Offender DNA Identification System
18 Fund, \$800,000; and

19 From the State Police Whistleblower Reward and
20 Protection Fund, \$500,000.

21 (y) Notwithstanding any other provision of law to the
22 contrary, in addition to any other transfers that may be
23 provided for by law on June 30, 2005, or as soon as may be
24 practical thereafter, the State Comptroller shall direct and
25 the State Treasurer shall transfer the remaining balance from
26 the designated funds into the General Revenue Fund and any

1 future deposits that would otherwise be made into these funds
2 must instead be made into the General Revenue Fund:

3 (1) the Keep Illinois Beautiful Fund;

4 (2) the Metropolitan Fair and Exposition Authority
5 Reconstruction Fund;

6 (3) the New Technology Recovery Fund;

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

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

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

10 (7) the State Postsecondary Review Program Fund;

11 (8) the Tourism Attraction Development Matching Grant
12 Fund;

13 (9) the Patent and Copyright Fund;

14 (10) the Credit Enhancement Development Fund;

15 (11) the Community Mental Health and Developmental
16 Disabilities Services Provider Participation Fee Trust
17 Fund;

18 (12) the Nursing Home Grant Assistance Fund;

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

20 (14) the Illinois Student Assistance Commission Higher
21 EdNet Fund;

22 (15) the DORS State Project Fund;

23 (16) the School Technology Revolving Fund;

24 (17) the Energy Assistance Contribution Fund;

25 (18) the Illinois Building Commission Revolving Fund;

26 (19) the Illinois Aquaculture Development Fund;

- 1 (20) the Homelessness Prevention Fund;
- 2 (21) the DCFS Refugee Assistance Fund;
- 3 (22) the Illinois Century Network Special Purposes
- 4 Fund; and
- 5 (23) the Build Illinois Purposes Fund.

6 (z) In addition to any other transfers that may be provided

7 for by law, on July 1, 2005, or as soon as may be practical

8 thereafter, the State Comptroller shall direct and the State

9 Treasurer shall transfer the sum of \$1,200,000 from the General

10 Revenue Fund to the Violence Prevention Fund.

11 (aa) In addition to any other transfers that may be

12 provided for by law, on July 1, 2005, or as soon as may be

13 practical thereafter, the State Comptroller shall direct and

14 the State Treasurer shall transfer the sum of \$9,000,000 from

15 the General Revenue Fund to the Presidential Library and Museum

16 Operating Fund.

17 (bb) In addition to any other transfers that may be

18 provided for by law, on July 1, 2005, or as soon as may be

19 practical thereafter, the State Comptroller shall direct and

20 the State Treasurer shall transfer the sum of \$6,803,600 from

21 the General Revenue Fund to the Securities Audit and

22 Enforcement Fund.

23 (cc) In addition to any other transfers that may be

24 provided for by law, on or after July 1, 2005 and until May 1,

25 2006, 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 exceeding a total of
2 \$80,000,000 from the General Revenue Fund to the Tobacco
3 Settlement Recovery Fund. Any amounts so transferred shall be
4 re-transferred by the State Comptroller and the State Treasurer
5 from the Tobacco Settlement Recovery Fund to the General
6 Revenue Fund at the direction of and upon notification from the
7 Governor, but in any event on or before June 30, 2006.

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

15 (ee) Notwithstanding any other provision of law, on July 1,
16 2006, or as soon thereafter as practical, the State Comptroller
17 shall direct and the State Treasurer shall transfer the
18 remaining balance from the Illinois Civic Center Bond Fund to
19 the Illinois Civic Center Bond Retirement and Interest Fund.

20 (ff) 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 Director of the Governor's Office of Management and Budget, the
24 State Comptroller shall direct and the State Treasurer shall
25 transfer amounts not exceeding a total of \$1,900,000 from the
26 General Revenue Fund to the Illinois Capital Revolving Loan

1 Fund.

2 (gg) In addition to any other transfers that may be
 3 provided for by law, on and after July 1, 2006 and until May 1,
 4 2007, at the direction of and upon notification from the
 5 Governor, the State Comptroller shall direct and the State
 6 Treasurer shall transfer amounts not exceeding a total of
 7 \$80,000,000 from the General Revenue Fund to the Tobacco
 8 Settlement Recovery Fund. Any amounts so transferred shall be
 9 retransferred by the State Comptroller and the State Treasurer
 10 from the Tobacco Settlement Recovery Fund to the General
 11 Revenue Fund at the direction of and upon notification from the
 12 Governor, but in any event on or before June 30, 2007.

13 (hh) In addition to any other transfers that may be
 14 provided for by law, on and after July 1, 2006 and until June
 15 30, 2007, at the direction of and upon notification from the
 16 Governor, the State Comptroller shall direct and the State
 17 Treasurer shall transfer amounts from the Illinois Affordable
 18 Housing Trust Fund to the designated funds not exceeding the
 19 following amounts:

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

25 (ii) In addition to any other transfers that may be
 26 provided for by law, on or before August 31, 2006, the Governor

1 and the State Comptroller may agree to transfer the surplus
2 cash balance from the General Revenue Fund to the Budget
3 Stabilization Fund and the Pension Stabilization Fund in equal
4 proportions. The determination of the amount of the surplus
5 cash balance shall be made by the Governor, with the
6 concurrence of the State Comptroller, after taking into account
7 the June 30, 2006 balances in the general funds and the actual
8 or estimated spending from the general funds during the lapse
9 period. Notwithstanding the foregoing, the maximum amount that
10 may be transferred under this subsection (ii) is \$50,000,000.

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

17 (kk) In addition to any other transfers that may be
18 provided for by law, on July 1, 2006, or as soon thereafter as
19 practical, the State Comptroller shall direct and the State
20 Treasurer shall transfer the sum of \$1,400,000 from the General
21 Revenue Fund to the Violence Prevention Fund.

22 (ll) In addition to any other transfers that may be
23 provided for by law, on the first day of each calendar quarter
24 of the fiscal year beginning July 1, 2006, or as soon
25 thereafter as practical, the State Comptroller shall direct and
26 the State Treasurer shall transfer from the General Revenue

1 Fund amounts equal to one-fourth of \$20,000,000 to the
2 Renewable Energy Resources Trust Fund.

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

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

13 (oo) In addition to any other transfers that may be
14 provided for by law, on and after July 1, 2006 and until June
15 30, 2007, at the direction of and upon notification from the
16 Governor, the State Comptroller shall direct and the State
17 Treasurer shall transfer amounts identified as net receipts
18 from the sale of all or part of the Illinois Student Assistance
19 Commission loan portfolio from the Student Loan Operating Fund
20 to the General Revenue Fund. The maximum amount that may be
21 transferred pursuant to this Section is \$38,800,000. In
22 addition, no transfer may be made pursuant to this Section that
23 would have the effect of reducing the available balance in the
24 Student Loan Operating Fund to an amount less than the amount
25 remaining unexpended and unreserved from the total
26 appropriations from the Fund estimated to be expended for the

1 fiscal year. The State Treasurer and Comptroller shall transfer
2 the amounts designated under this Section as soon as may be
3 practical after receiving the direction to transfer from the
4 Governor.

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

10 (qq) In addition to any other transfers that may be
11 provided for by law, on and after July 1, 2007 and until May 1,
12 2008, at the direction of and upon notification from the
13 Governor, the State Comptroller shall direct and the State
14 Treasurer shall transfer amounts not exceeding a total of
15 \$80,000,000 from the General Revenue Fund to the Tobacco
16 Settlement Recovery Fund. Any amounts so transferred shall be
17 retransferred by the State Comptroller and the State Treasurer
18 from the Tobacco Settlement Recovery Fund to the General
19 Revenue Fund at the direction of and upon notification from the
20 Governor, but in any event on or before June 30, 2008.

21 (rr) In addition to any other transfers that may be
22 provided for by law, on and after July 1, 2007 and until June
23 30, 2008, at the direction of and upon notification from the
24 Governor, the State Comptroller shall direct and the State
25 Treasurer shall transfer amounts from the Illinois Affordable
26 Housing Trust Fund to the designated funds not exceeding the

1 following amounts:

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

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

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

18 (uu) In addition to any other transfers that may be
19 provided for by law, on July 1, 2007, or as soon thereafter as
20 practical, the State Comptroller shall direct and the State
21 Treasurer shall transfer the sum of \$1,320,000 from the General
22 Revenue Fund to the I-FLY Fund.

23 (vv) In addition to any other transfers that may be
24 provided for by law, on July 1, 2007, or as soon thereafter as
25 practical, the State Comptroller shall direct and the State
26 Treasurer shall transfer the sum of \$3,000,000 from the General

1 Revenue Fund to the African-American HIV/AIDS Response Fund.

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

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

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

18 (zz) In addition to any other transfers that may be
19 provided for by law, on July 1, 2008, or as soon thereafter as
20 practical, the State Comptroller shall direct and the State
21 Treasurer shall transfer the sum of \$5,000,000 from the General
22 Revenue Fund to the Digital Divide Elimination Fund.

23 (aaa) In addition to any other transfers that may be
24 provided for by law, on and after July 1, 2008 and until May 1,
25 2009, 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 exceeding a total of
 2 \$80,000,000 from the General Revenue Fund to the Tobacco
 3 Settlement Recovery Fund. Any amounts so transferred shall be
 4 retransferred by the State Comptroller and the State Treasurer
 5 from the Tobacco Settlement Recovery Fund to the General
 6 Revenue Fund at the direction of and upon notification from the
 7 Governor, but in any event on or before June 30, 2009.

8 (bbb) In addition to any other transfers that may be
 9 provided for by law, on and after July 1, 2008 and until June
 10 30, 2009, at the direction of and upon notification from the
 11 Governor, the State Comptroller shall direct and the State
 12 Treasurer shall transfer amounts from the Illinois Affordable
 13 Housing Trust Fund to the designated funds not exceeding the
 14 following amounts:

- 15 DCFS Children's Services Fund \$2,200,000
- 16 Department of Corrections Reimbursement
- 17 and Education Fund \$1,500,000
- 18 Supplemental Low-Income Energy
- 19 Assistance Fund \$75,000

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

26 (ddd) In addition to any other transfers that may be

1 provided for by law, on July 1, 2008, or as soon thereafter as
2 practical, the State Comptroller shall direct and the State
3 Treasurer shall transfer the sum of \$1,400,000 from the General
4 Revenue Fund to the Violence Prevention Fund.

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

10 (fff) In addition to any other transfers that may be
11 provided for by law, on and after July 1, 2009 and until May 1,
12 2010, at the direction of and upon notification from the
13 Governor, the State Comptroller shall direct and the State
14 Treasurer shall transfer amounts not exceeding a total of
15 \$80,000,000 from the General Revenue Fund to the Tobacco
16 Settlement Recovery Fund. Any amounts so transferred shall be
17 retransferred by the State Comptroller and the State Treasurer
18 from the Tobacco Settlement Recovery Fund to the General
19 Revenue Fund at the direction of and upon notification from the
20 Governor, but in any event on or before June 30, 2010.

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

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

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

11 (jjj) In addition to any other transfers that may be
12 provided for by law, on and after July 1, 2009 and until June
13 30, 2010, at the direction of and upon notification from the
14 Governor, the State Comptroller shall direct and the State
15 Treasurer shall transfer amounts not exceeding a total of
16 \$17,000,000 from the General Revenue Fund to the DCFS
17 Children's Services Fund.

18 (lll) In addition to any other transfers that may be
19 provided for by law, on July 1, 2009, or as soon thereafter as
20 practical, the State Comptroller shall direct and the State
21 Treasurer shall transfer the sum of \$5,000,000 from the General
22 Revenue Fund to the Communications Revolving Fund.

23 (mmm) In addition to any other transfers that may be
24 provided for by law, on July 1, 2009, or as soon thereafter as
25 practical, the State Comptroller shall direct and the State
26 Treasurer shall transfer the sum of \$9,700,000 from the General

1 Revenue Fund to the Senior Citizens Real Estate Deferred Tax
2 Revolving Fund.

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

8 (ooo) In addition to any other transfers that may be
9 provided 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 \$600,000 from the General
12 Revenue Fund to the Temporary Relocation Expenses Revolving
13 Fund.

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

16 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

17 Sec. 13.2. Transfers among line item appropriations.

18 (a) Transfers among line item appropriations from the same
19 treasury fund for the objects specified in this Section may be
20 made in the manner provided in this Section when the balance
21 remaining in one or more such line item appropriations is
22 insufficient for the purpose for which the appropriation was
23 made.

24 (a-1) No transfers may be made from one agency to another
25 agency, nor may transfers be made from one institution of

1 higher education to another institution of higher education.

2 (a-2) Except as otherwise provided in this Section,
3 transfers may be made only among the objects of expenditure
4 enumerated in this Section, except that no funds may be
5 transferred from any appropriation for personal services, from
6 any appropriation for State contributions to the State
7 Employees' Retirement System, from any separate appropriation
8 for employee retirement contributions paid by the employer, nor
9 from any appropriation for State contribution for employee
10 group insurance. During State fiscal year 2005, an agency may
11 transfer amounts among its appropriations within the same
12 treasury fund for personal services, employee retirement
13 contributions paid by employer, and State Contributions to
14 retirement systems; notwithstanding and in addition to the
15 transfers authorized in subsection (c) of this Section, the
16 fiscal year 2005 transfers authorized in this sentence may be
17 made in an amount not to exceed 2% of the aggregate amount
18 appropriated to an agency within the same treasury fund. During
19 State fiscal year 2007, the Departments of Children and Family
20 Services, Corrections, Human Services, and Juvenile Justice
21 may transfer amounts among their respective appropriations
22 within the same treasury fund for personal services, employee
23 retirement contributions paid by employer, and State
24 contributions to retirement systems. During State fiscal year
25 2010, the Department of Transportation may transfer amounts
26 among their respective appropriations within the same treasury

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

12 (a-3) Further, if an agency receives a separate
13 appropriation for employee retirement contributions paid by
14 the employer, any transfer by that agency into an appropriation
15 for personal services must be accompanied by a corresponding
16 transfer into the appropriation for employee retirement
17 contributions paid by the employer, in an amount sufficient to
18 meet the employer share of the employee contributions required
19 to be remitted to the retirement system.

20 (b) In addition to the general transfer authority provided
21 under subsection (c), the following agencies have the specific
22 transfer authority granted in this subsection:

23 The Department of Healthcare and Family Services is
24 authorized to make transfers representing savings attributable
25 to not increasing grants due to the births of additional
26 children from line items for payments of cash grants to line

1 items for payments for employment and social services for the
2 purposes outlined in subsection (f) of Section 4-2 of the
3 Illinois Public Aid Code.

4 The Department of Children and Family Services is
5 authorized to make transfers not exceeding 2% of the aggregate
6 amount appropriated to it within the same treasury fund for the
7 following line items among these same line items: Foster Home
8 and Specialized Foster Care and Prevention, Institutions and
9 Group Homes and Prevention, and Purchase of Adoption and
10 Guardianship Services.

11 The Department on Aging is authorized to make transfers not
12 exceeding 2% of the aggregate amount appropriated to it within
13 the same treasury fund for the following Community Care Program
14 line items among these same line items: Homemaker and Senior
15 Companion Services, Alternative Senior Services, Case
16 Coordination Units, and Adult Day Care Services.

17 The State Treasurer is authorized to make transfers among
18 line item appropriations from the Capital Litigation Trust
19 Fund, with respect to costs incurred in fiscal years 2002 and
20 2003 only, when the balance remaining in one or more such line
21 item appropriations is insufficient for the purpose for which
22 the appropriation was made, provided that no such transfer may
23 be made unless the amount transferred is no longer required for
24 the purpose for which that appropriation was made.

25 The State Board of Education is authorized to make
26 transfers from line item appropriations within the same

1 treasury fund for General State Aid and General State Aid -
2 Hold Harmless, provided that no such transfer may be made
3 unless the amount transferred is no longer required for the
4 purpose for which that appropriation was made, to the line item
5 appropriation for Transitional Assistance when the balance
6 remaining in such line item appropriation is insufficient for
7 the purpose for which the appropriation was made.

8 The State Board of Education is authorized to make
9 transfers between the following line item appropriations
10 within the same treasury fund: Disabled Student
11 Services/Materials (Section 14-13.01 of the School Code),
12 Disabled Student Transportation Reimbursement (Section
13 14-13.01 of the School Code), Disabled Student Tuition -
14 Private Tuition (Section 14-7.02 of the School Code),
15 Extraordinary Special Education (Section 14-7.02b of the
16 School Code), Reimbursement for Free Lunch/Breakfast Program,
17 Summer School Payments (Section 18-4.3 of the School Code), and
18 Transportation - Regular/Vocational Reimbursement (Section
19 29-5 of the School Code). Such transfers shall be made only
20 when the balance remaining in one or more such line item
21 appropriations is insufficient for the purpose for which the
22 appropriation was made and provided that no such transfer may
23 be made unless the amount transferred is no longer required for
24 the purpose for which that appropriation was made.

25 During State fiscal year 2010 only, the Department of
26 Healthcare and Family Services is authorized to make transfers

1 not exceeding 4% of the aggregate amount appropriated to it,
2 within the same treasury fund, among the various line items
3 appropriated for Medical Assistance.

4 (c) The sum of such transfers for an agency in a fiscal
5 year shall not exceed 2% of the aggregate amount appropriated
6 to it within the same treasury fund for the following objects:
7 Personal Services; Extra Help; Student and Inmate
8 Compensation; State Contributions to Retirement Systems; State
9 Contributions to Social Security; State Contribution for
10 Employee Group Insurance; Contractual Services; Travel;
11 Commodities; Printing; Equipment; Electronic Data Processing;
12 Operation of Automotive Equipment; Telecommunications
13 Services; Travel and Allowance for Committed, Paroled and
14 Discharged Prisoners; Library Books; Federal Matching Grants
15 for Student Loans; Refunds; Workers' Compensation,
16 Occupational Disease, and Tort Claims; and, in appropriations
17 to institutions of higher education, Awards and Grants.
18 Notwithstanding the above, any amounts appropriated for
19 payment of workers' compensation claims to an agency to which
20 the authority to evaluate, administer and pay such claims has
21 been delegated by the Department of Central Management Services
22 may be transferred to any other expenditure object where such
23 amounts exceed the amount necessary for the payment of such
24 claims.

25 (c-1) Special provisions for State fiscal year 2003.
26 Notwithstanding any other provision of this Section to the

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

20 (c-2) Special provisions for State fiscal year 2005.
21 Notwithstanding subsections (a), (a-2), and (c), for State
22 fiscal year 2005 only, transfers may be made among any line
23 item appropriations from the same or any other treasury fund
24 for any objects or purposes, without limitation, when the
25 balance remaining in one or more such line item appropriations
26 is insufficient for the purpose for which the appropriation was

1 made, provided that the sum of those transfers by a State
2 agency shall not exceed 4% of the aggregate amount appropriated
3 to that State agency for fiscal year 2005.

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

18 The officer responsible for approval shall certify that the
19 transfer is necessary to carry out the programs and purposes
20 for which the appropriations were made by the General Assembly
21 and shall transmit to the State Comptroller a certified copy of
22 the approval which shall set forth the specific amounts
23 transferred so that the Comptroller may change his records
24 accordingly. The Comptroller shall furnish the Governor with
25 information copies of all transfers approved for agencies of
26 the Legislative and Judicial departments and transfers

1 approved by the constitutionally elected officials of the
2 Executive branch other than the Governor, showing the amounts
3 transferred and indicating the dates such changes were entered
4 on the Comptroller's records.

5 (e) The State Board of Education, in consultation with the
6 State Comptroller, may transfer line item appropriations for
7 General State Aid from the Common School Fund to the Education
8 Assistance Fund.

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

10 ARTICLE 10. PARK AND RECREATIONAL FACILITY CONSTRUCTION

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

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

15 "Department" means the Department of Natural Resources.

16 "Applicant" means a local government that files an
17 application for grant under this Act.

18 "Director" means the Director of Natural Resources.

19 "Local government" includes counties, townships,
20 municipalities, park districts, conservation districts, forest
21 preserve districts, river conservancy districts, and any other
22 unit of local government empowered to expend public funds for
23 the acquisition and development of land for public outdoor

1 park, recreation, or conservation purposes.

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

11 "Park or recreation unit construction project" means the
12 acquisition, development, construction, reconstruction,
13 rehabilitation, improvement, architectural planning, and
14 installation, of (i) capital facilities consisting of
15 buildings, structures, and land for park or recreation purposes
16 and (ii) open spaces and natural areas, as those terms are
17 defined in Section 10 of the Illinois Open Land Trust Act.

18 Section 10-10. Grant awards. The Department is authorized
19 to make grants for park or recreation unit construction
20 projects with funds appropriated for that purpose from the
21 Build Illinois Bond Fund.

22 No single construction project may be eligible to receive
23 more than 10% of the amount so appropriated for any fiscal
24 year, and no more than 10% of the total appropriation may be
25 committed or expended on any one construction project described

1 in an application under this Act.

2 Of the total amount of funds for construction projects
3 awarded statewide, 20% shall be awarded to the Chicago Park
4 District, provided that the Chicago Park District complies with
5 the provisions of this Act, and 80% shall be awarded to local
6 government units outside of the City of Chicago.

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

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

16 Section 10-15. Grants. Any local government may apply to
17 the Department for a grant under this Act. An application must
18 be in writing and contain a narrative description of the
19 project, the legal description of the open lands to be acquired
20 or used for the capital development project, a current
21 appraisal performed by an Illinois licensed appraiser showing
22 the fair market value of those lands to be acquired, the
23 estimated project cost, identification of a source of
24 continuous funding sufficient to maintain the new facilities to
25 be created by capital development, the amount of the project

1 cost the applicant proposes to provide, and such other
2 information as required by the Department.

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

14 Section 10-25. Consideration of applications. The
15 Department shall consider all applications for grants filed
16 prior to a deadline established by the Department for a fiscal
17 year before awarding any grants for that year. The Department
18 shall evaluate those applications that have been timely filed
19 in accordance with the rules promulgated by the Department
20 pursuant to and consistent with the provisions of this Act.

21 Section 10-30. Supervision of park or recreation unit
22 construction projects. The Department shall exercise general
23 supervision over park or recreation unit construction projects

1 financed pursuant to this Act. No project may be disapproved by
2 the Department solely due to a park or recreation unit's
3 selection of an architect or engineer.

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

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

21 Section 10-45. Progress reports. Progress reports on the
22 implementation and development of this Act shall be filed no
23 later than January 15 of every odd-numbered year with the

1 Governor and the General Assembly until such time as funds are
2 no longer appropriated for this program. Reports shall include
3 a statement of goals and objectives and quantifiable support
4 documentation as expenditures, allocation of funds by
5 location, including performance and measurement criteria
6 sufficient to enable the Governor and General Assembly to
7 properly evaluate and review program effectiveness.

8 ARTICLE 99. EFFECTIVE DATE

9 Section 99-99. Effective date. This Act takes effect upon
10 becoming law.