



Sen. Christine Radogno

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1 AMENDMENT TO SENATE BILL 2196

2 AMENDMENT NO. _____. Amend Senate Bill 2196 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Budget Law of the Civil
5 Administrative Code of Illinois is amended by changing Sections
6 50-5 and 50-15 as follows:

7 (15 ILCS 20/50-5) (was 15 ILCS 20/38)

8 Sec. 50-5. Governor to submit State budget. The Governor
9 shall, as soon as possible and not later than the third
10 Wednesday in March in 2009 (March 18, 2009) and the third
11 Wednesday in February of each year beginning in 2010, except as
12 otherwise provided in this Section, submit a State budget,
13 embracing therein the amounts recommended by the Governor to be
14 appropriated to the respective departments, offices, and
15 institutions, and for all other public purposes, the estimated
16 revenues from taxation, the estimated revenues from sources

1 other than taxation, and an estimate of the amount required to
2 be raised by taxation. The amounts recommended by the Governor
3 for appropriation to the respective departments, offices and
4 institutions shall be formulated according to the various
5 functions and activities for which the respective department,
6 office or institution of the State government (including the
7 elective officers in the executive department and including the
8 University of Illinois and the judicial department) is
9 responsible. The amounts relating to particular functions and
10 activities shall be further formulated in accordance with the
11 object classification specified in Section 13 of the State
12 Finance Act.

13 The Governor shall not propose expenditures and the General
14 Assembly shall not enact appropriations that exceed the
15 resources estimated to be available, as provided in this
16 Section. After the Governor submits his or her proposed
17 expenditures, the General Assembly shall adopt a joint
18 resolution, the Binding Budget Resolution, stating the
19 expected resources available in the General Revenue Fund for
20 the upcoming fiscal year. The General Assembly may not enact
21 appropriations payable from the General Revenue Fund that
22 exceed the resources estimated to be available in the General
23 Revenue Fund. A Binding Budget Joint Resolution may be amended
24 only upon the enactment of new revenues or the issuance of
25 updated estimates of existing revenue by the Commission on
26 Government Forecasting and Accountability.

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

- 6 (1) General Revenue Fund.
- 7 (2) Common School Fund.
- 8 (3) Educational Assistance Fund.
- 9 (4) Road Fund.
- 10 (5) Motor Fuel Tax Fund.
- 11 (6) Agricultural Premium Fund.

12 These funds shall be known as the "budgeted funds". The
13 revenue estimates used in the State budget for the budgeted
14 funds shall include the estimated beginning fund balance, plus
15 revenues estimated to be received during the budgeted year,
16 plus the estimated receipts due the State as of June 30 of the
17 budgeted year that are expected to be collected during the
18 lapse period following the budgeted year, minus the receipts
19 collected during the first 2 months of the budgeted year that
20 became due to the State in the year before the budgeted year.
21 Revenues shall also include estimated federal reimbursements
22 associated with the recognition of Section 25 of the State
23 Finance Act liabilities. For any budgeted fund for which
24 current year revenues are anticipated to exceed expenditures,
25 the surplus shall be considered to be a resource available for
26 expenditure in the budgeted fiscal year.

1 Expenditure estimates for the budgeted funds included in
2 the State budget shall include the costs to be incurred by the
3 State for the budgeted year, to be paid in the next fiscal
4 year, excluding costs paid in the budgeted year which were
5 carried over from the prior year, where the payment is
6 authorized by Section 25 of the State Finance Act. For any
7 budgeted fund for which expenditures are expected to exceed
8 revenues in the current fiscal year, the deficit shall be
9 considered as a use of funds in the budgeted fiscal year.

10 Revenues and expenditures shall also include transfers
11 between funds that are based on revenues received or costs
12 incurred during the budget year.

13 By March 15 of each year, the Commission on Government
14 Forecasting and Accountability shall prepare revenue and fund
15 transfer estimates in accordance with the requirements of this
16 Section and report those estimates to the General Assembly and
17 the Governor.

18 For all funds other than the budgeted funds, the proposed
19 expenditures shall not exceed funds estimated to be available
20 for the fiscal year as shown in the budget. Appropriation for a
21 fiscal year shall not exceed funds estimated by the General
22 Assembly to be available during that year.

23 The General Assembly shall not enact appropriations for a
24 fiscal year in fewer than 4 separate appropriations. The
25 General Assembly shall enact one appropriation for (i)
26 education, (ii) health and human services for the relevant

1 agencies that deal with health care or human services, or both,
2 (iii) public safety for agencies including the Department of
3 Corrections, the Department of Illinois State Police, and other
4 relevant agencies, (iv) transportation, and (v) general
5 government operations for appropriations related to the
6 Constitutional Officers, the General Assembly, and any other
7 agency not included in items (i) through (iv).

8 (Source: P.A. 96-1, eff. 2-17-09.)

9 (15 ILCS 20/50-15) (was 15 ILCS 20/38.2)

10 Sec. 50-15. Department accountability reports.

11 (a) Beginning in the fiscal year which begins July 1, 1992,
12 each department of State government as listed in Section 5-15
13 of the Departments of State Government Law (20 ILCS 5/5-15)
14 shall submit an annual accountability report to the Bureau of
15 the Budget (now Governor's Office of Management and Budget) at
16 times designated by the Director of the Bureau of the Budget
17 now Governor's Office of Management and Budget). Each
18 accountability report shall be designed to assist the Bureau
19 (now Office) in its duties under Sections 2.2 and 2.3 of the
20 Governor's Office of Management and Budget Act and shall
21 measure the department's performance based on criteria, goals,
22 and objectives established by the department with the oversight
23 and assistance of the Bureau (now Office). Each department
24 shall also submit interim progress reports at times designated
25 by the Director of the Bureau (now Office).

1 (b) Representatives from each Department shall provide
2 public testimony to the General Assembly. This testimony shall
3 be given to the relevant appropriations committee as determined
4 by the Speaker of the House or the President of the Senate, and
5 the clerk of those committees shall administer oaths to those
6 appearing to testify ~~(Blank)~~.

7 (c) The Director of the Bureau (now Office) shall select
8 not more than 3 departments for a pilot program implementing
9 the procedures of subsection (a) for budget requests for the
10 fiscal years beginning July 1, 1990 and July 1, 1991, and each
11 of the departments elected shall submit accountability reports
12 for those fiscal years.

13 By April 1, 1991, the Bureau (now Office) shall recommend
14 in writing to the Governor any changes in the budget review
15 process established pursuant to this Section suggested by its
16 evaluation of the pilot program. The Governor shall submit
17 changes to the budget review process that the Governor plans to
18 adopt, based on the report, to the President and Minority
19 Leader of the Senate and the Speaker and Minority Leader of the
20 House of Representatives.

21 (Source: P.A. 94-793, eff. 5-19-06.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law."