



Rep. Barbara Flynn Currie

Filed: 5/24/2010

09600SB3662ham003

LRB096 20410 RCE 41627 a

1 AMENDMENT TO SENATE BILL 3662

2 AMENDMENT NO. _____. Amend Senate Bill 3662, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "ARTICLE 1. SHORT TITLE; PURPOSE

6 Section 1-1. Short title. This Act may be cited as the
7 FY2011 Budget Implementation (Finance) Act.

8 Section 1-5. Purpose. It is the purpose of this Act to make
9 changes in State programs that are necessary to implement the
10 Governor's Fiscal Year 2011 budget recommendations concerning
11 finance.

12 Section 1-10. Delegation of appropriations.

13 (a) Notwithstanding any other Act to the contrary, if and
14 only if House Bill 859 of the 96th General Assembly becomes

1 law, then the Office of the Governor is authorized to delegate,
2 through written notice to the Comptroller, all or a portion of
3 the appropriations included in Sections 10 and 15 of Article 41
4 of House Bill 859 to any State agency, board, or commission.
5 All amounts so delegated are limited to the purposes for which
6 those moneys were appropriated in those Sections and shall be
7 expended in accordance with all relevant laws, administrative
8 rules, and audit standards and obligations that would apply had
9 the amounts been appropriated directly to the agency, board, or
10 commission for that purpose.

11 (b) This Section is repealed on June 30, 2011.

12 ARTICLE 5. AMENDATORY PROVISIONS

13 Section 5-15. The Legislative Commission Reorganization
14 Act of 1984 is amended by changing Section 1-5 as follows:

15 (25 ILCS 130/1-5) (from Ch. 63, par. 1001-5)

16 Sec. 1-5. Composition of agencies; directors.

17 (a)(1) Each legislative support services agency listed in
18 Section 1-3 is hereafter in this Section referred to as the
19 Agency.

20 (2) (Blank).

21 (2.1) (Blank).

22 (2.5) The Board of the Office of the Architect of the
23 Capitol shall consist of the Secretary and Assistant Secretary

1 of the Senate and the Clerk and Assistant Clerk of the House of
2 Representatives. When the Board has cast a tied vote concerning
3 the design, implementation, or construction of a project within
4 the legislative complex, as defined in Section 8A-15, the
5 Architect of the Capitol may cast the tie-breaking vote.

6 (3) The other legislative support services agencies shall
7 each consist of 12 members of the General Assembly, of whom 3
8 shall be appointed by the President of the Senate, 3 shall be
9 appointed by the Minority Leader of the Senate, 3 shall be
10 appointed by the Speaker of the House of Representatives, and 3
11 shall be appointed by the Minority Leader of the House of
12 Representatives. All appointments shall be in writing and filed
13 with the Secretary of State as a public record.

14 Members shall serve a 2-year term, and must be appointed by
15 the Joint Committee during the month of January in each
16 odd-numbered year for terms beginning February 1. Any vacancy
17 in an Agency shall be filled by appointment for the balance of
18 the term in the same manner as the original appointment. A
19 vacancy shall exist when a member no longer holds the elected
20 legislative office held at the time of the appointment or at
21 the termination of the member's legislative service.

22 (b) (Blank).

23 (c) During the month of February of each odd-numbered year,
24 the Joint Committee on Legislative Support Services shall
25 select from the members of each agency, other than the Office
26 of the Architect of the Capitol, 2 co-chairmen and such other

1 officers as the Joint Committee deems necessary. The
2 co-chairmen of each Agency shall serve for a 2-year term,
3 beginning February 1 of the odd-numbered year, and the 2
4 co-chairmen shall not be members of or identified with the same
5 house or the same political party. The co-chairmen of the Board
6 of the Office of the Architect of the Capitol shall be the
7 Secretary of the Senate and the Clerk of the House of
8 Representatives, each ex officio.

9 Each Agency shall meet twice annually or more often upon
10 the call of the chair or any 9 members (or any 3 members in the
11 case of the Office of the Architect of the Capitol). A quorum
12 of the Agency shall consist of a majority of the appointed
13 members.

14 (d) Members of each Agency shall serve without
15 compensation, but shall be reimbursed for expenses incurred in
16 carrying out the duties of the Agency pursuant to rules and
17 regulations adopted by the Joint Committee on Legislative
18 Support Services.

19 (e) Beginning February 1, 1985, and every 2 years
20 thereafter, the Joint Committee shall select an Executive
21 Director who shall be the chief executive officer and staff
22 director of each Agency. The Executive Director shall receive a
23 salary as fixed by the Joint Committee and shall be authorized
24 to employ and fix the compensation of necessary professional,
25 technical and secretarial staff and prescribe their duties,
26 sign contracts, and issue vouchers for the payment of

1 obligations pursuant to rules and regulations adopted by the
2 Joint Committee on Legislative Support Services. The Executive
3 Director and other employees of the Agency shall not be subject
4 to the Personnel Code.

5 The executive director of the Office of the Architect of
6 the Capitol shall be known as the Architect of the Capitol.

7 (Source: P.A. 93-632, eff. 2-1-04.)

8 Section 5-20. The State Finance Act is amended by changing
9 Sections 6z-30, 6z-63, 6z-64, 6z-70, 8.3, 8.8, 8g, 8o, and 13.2
10 and by adding Sections 5.755 and 6p-8 as follows:

11 (30 ILCS 105/5.755 new)

12 Sec. 5.755. The Court of Claims Federal Recovery Victim
13 Compensation Grant Fund.

14 (30 ILCS 105/6p-8 new)

15 Sec. 6p-8. Court of Claims Federal Recovery Victim
16 Compensation Grant Fund. The Court of Claims Federal Recovery
17 Victim Compensation Grant Fund is created as a special fund in
18 the State treasury. The Fund shall consist of federal Victims
19 of Crime Act grant funds awarded to the Court of Claims from
20 the U.S. Department of Justice, Office of Justice Programs,
21 Office for Victims of Crime for the payment of claims pursuant
22 to the Crime Victims Compensation Act (740 ILCS 45/). All
23 moneys in the Fund shall be used for payment of claims pursuant

1 to the Crime Victims Compensation Act (740 ILCS 45/). The
2 General Assembly may appropriate moneys from the Court of
3 Claims Federal Recovery Victim Compensation Grant Fund to the
4 Court of Claims for the purpose of payment of claims pursuant
5 to the Crime Victims Compensation Act (740 ILCS 45/).

6 (30 ILCS 105/6z-30)

7 Sec. 6z-30. University of Illinois Hospital Services Fund.

8 (a) The University of Illinois Hospital Services Fund is
9 created as a special fund in the State Treasury. The following
10 moneys shall be deposited into the Fund:

11 (1) As soon as possible after the beginning of ~~each~~
12 ~~fiscal year (starting in fiscal year 2010)~~, and in no event
13 later than July 30, the State Comptroller and the State
14 Treasurer shall automatically transfer \$30,000,000 from
15 the General Revenue Fund to the University of Illinois
16 Hospital Services Fund.

17 (1.5) Starting in fiscal year 2011, as soon as possible
18 after the beginning of each fiscal year, and in no event
19 later than July 30, the State Comptroller and the State
20 Treasurer shall automatically transfer \$45,000,000 from
21 the General Revenue Fund to the University of Illinois
22 Hospital Services Fund.

23 (2) All intergovernmental transfer payments to the
24 Department of Healthcare and Family Services by the
25 University of Illinois made pursuant to an

1 intergovernmental agreement under subsection (b) or (c) of
2 Section 5A-3 of the Illinois Public Aid Code.

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

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

10 (b) Moneys in the fund may be used by the Department of
11 Healthcare and Family Services, subject to appropriation and to
12 an interagency agreement between that Department and the Board
13 of Trustees of the University of Illinois, to reimburse the
14 University of Illinois Hospital for hospital and pharmacy
15 services, to reimburse practitioners who are employed by the
16 University of Illinois, to reimburse other health care
17 facilities operated by the University of Illinois, and to pass
18 through to the University of Illinois federal financial
19 participation earned by the State as a result of expenditures
20 made by the University of Illinois.

21 (c) (Blank).

22 (Source: P.A. 95-331, eff. 8-21-07; 95-744, eff. 7-18-08;
23 96-45, eff. 7-15-09.)

24 (30 ILCS 105/6z-63)

25 Sec. 6z-63. The Professional Services Fund.

1 (a) The Professional Services Fund is created as a
2 revolving fund in the State treasury. The following moneys
3 shall be deposited into the Fund:

4 (1) amounts authorized for transfer to the Fund from
5 the General Revenue Fund and other State funds (except for
6 funds classified by the Comptroller as federal trust funds
7 or State trust funds) pursuant to State law or Executive
8 Order;

9 (2) federal funds received by the Department of Central
10 Management Services (the "Department") as a result of
11 expenditures from the Fund;

12 (3) interest earned on moneys in the Fund; and

13 (4) receipts or inter-fund transfers resulting from
14 billings issued by the Department to State agencies for the
15 cost of professional services rendered by the Department
16 that are not compensated through the specific fund
17 transfers authorized by this Section.

18 (b) Moneys in the Fund may be used by the Department for
19 reimbursement or payment for:

20 (1) providing professional services to State agencies
21 or other State entities;

22 (2) rendering other services to State agencies at the
23 Governor's direction or to other State entities upon
24 agreement between the Director of Central Management
25 Services and the appropriate official or governing body of
26 the other State entity; or

1 (3) providing for payment of administrative and other
 2 expenses incurred by the Department in providing
 3 professional services.

4 (c) State agencies or other State entities may direct the
 5 Comptroller to process inter-fund transfers or make payment
 6 through the voucher and warrant process to the Professional
 7 Services Fund in satisfaction of billings issued under
 8 subsection (a) of this Section.

9 (d) Reconciliation. For the fiscal year beginning on July
 10 1, 2004 only, the Director of Central Management Services (the
 11 "Director") shall order that each State agency's payments and
 12 transfers made to the Fund be reconciled with actual Fund costs
 13 for professional services provided by the Department on no less
 14 than an annual basis. The Director may require reports from
 15 State agencies as deemed necessary to perform this
 16 reconciliation.

17 (e) The following amounts are authorized for transfer into
 18 the Professional Services Fund for the fiscal year beginning
 19 July 1, 2004:

| | | |
|----|--|-------------|
| 20 | General Revenue Fund | \$5,440,431 |
| 21 | Road Fund | \$814,468 |
| 22 | Motor Fuel Tax Fund | \$263,500 |
| 23 | Child Support Administrative Fund | \$234,013 |
| 24 | Professions Indirect Cost Fund | \$276,800 |
| 25 | Capital Development Board Revolving Fund | \$207,610 |
| 26 | Bank & Trust Company Fund | \$200,214 |

| | | |
|----|--|-----------|
| 1 | State Lottery Fund | \$193,691 |
| 2 | Insurance Producer Administration Fund | \$174,672 |
| 3 | Insurance Financial Regulation Fund | \$168,327 |
| 4 | Illinois Clean Water Fund | \$124,675 |
| 5 | Clean Air Act (CAA) Permit Fund | \$91,803 |
| 6 | Statistical Services Revolving Fund | \$90,959 |
| 7 | Financial Institution Fund | \$109,428 |
| 8 | Horse Racing Fund | \$71,127 |
| 9 | Health Insurance Reserve Fund | \$66,577 |
| 10 | Solid Waste Management Fund | \$61,081 |
| 11 | Guardianship and Advocacy Fund | \$1,068 |
| 12 | Agricultural Premium Fund | \$493 |
| 13 | Wildlife and Fish Fund | \$247 |
| 14 | Radiation Protection Fund | \$33,277 |
| 15 | Nuclear Safety Emergency Preparedness Fund | \$25,652 |
| 16 | Tourism Promotion Fund | \$6,814 |

17 All of these transfers shall be made on July 1, 2004, or as
18 soon thereafter as practical. These transfers shall be made
19 notwithstanding any other provision of State law to the
20 contrary.

21 (e-5) Notwithstanding any other provision of State law to
22 the contrary, on or after July 1, 2005 and through June 30,
23 2006, in addition to any other transfers that may be provided
24 for by law, at the direction of and upon notification from the
25 Director of Central Management Services, the State Comptroller
26 shall direct and the State Treasurer shall transfer amounts

1 into the Professional Services Fund from the designated funds
2 not exceeding the following totals:

3 Food and Drug Safety Fund \$3,249

4 Financial Institution Fund \$12,942

5 General Professions Dedicated Fund \$8,579

6 Illinois Department of Agriculture

7 Laboratory Services Revolving Fund \$1,963

8 Illinois Veterans' Rehabilitation Fund \$11,275

9 State Boating Act Fund \$27,000

10 State Parks Fund \$22,007

11 Agricultural Premium Fund \$59,483

12 Fire Prevention Fund \$29,862

13 Mental Health Fund \$78,213

14 Illinois State Pharmacy Disciplinary Fund \$2,744

15 Radiation Protection Fund \$16,034

16 Solid Waste Management Fund \$37,669

17 Illinois Gaming Law Enforcement Fund \$7,260

18 Subtitle D Management Fund \$4,659

19 Illinois State Medical Disciplinary Fund \$8,602

20 Department of Children and

21 Family Services Training Fund \$29,906

22 Facility Licensing Fund \$1,083

23 Youth Alcoholism and Substance

24 Abuse Prevention Fund \$2,783

25 Plugging and Restoration Fund \$1,105

26 State Crime Laboratory Fund \$1,353

| | | |
|----|---|-------------|
| 1 | Motor Vehicle Theft Prevention Trust Fund | \$9,190 |
| 2 | Weights and Measures Fund | \$4,932 |
| 3 | Solid Waste Management Revolving | |
| 4 | Loan Fund | \$2,735 |
| 5 | Illinois School Asbestos Abatement Fund | \$2,166 |
| 6 | Violence Prevention Fund | \$5,176 |
| 7 | Capital Development Board Revolving Fund | \$14,777 |
| 8 | DCFS Children's Services Fund | \$1,256,594 |
| 9 | State Police DUI Fund | \$1,434 |
| 10 | Illinois Health Facilities Planning Fund | \$3,191 |
| 11 | Emergency Public Health Fund | \$7,996 |
| 12 | Fair and Exposition Fund | \$3,732 |
| 13 | Nursing Dedicated and Professional Fund | \$5,792 |
| 14 | Optometric Licensing and Disciplinary Board Fund .. | \$1,032 |
| 15 | Underground Resources Conservation Enforcement Fund | \$1,221 |
| 16 | State Rail Freight Loan Repayment Fund | \$6,434 |
| 17 | Drunk and Drugged Driving Prevention Fund | \$5,473 |
| 18 | Illinois Affordable Housing Trust Fund | \$118,222 |
| 19 | Community Water Supply Laboratory Fund | \$10,021 |
| 20 | Used Tire Management Fund | \$17,524 |
| 21 | Natural Areas Acquisition Fund | \$15,501 |
| 22 | Open Space Lands Acquisition | |
| 23 | and Development Fund | \$49,105 |
| 24 | Working Capital Revolving Fund | \$126,344 |
| 25 | State Garage Revolving Fund | \$92,513 |
| 26 | Statistical Services Revolving Fund | \$181,949 |

| | | |
|----|---|-----------|
| 1 | Paper and Printing Revolving Fund | \$3,632 |
| 2 | Air Transportation Revolving Fund | \$1,969 |
| 3 | Communications Revolving Fund | \$304,278 |
| 4 | Environmental Laboratory Certification Fund | \$1,357 |
| 5 | Public Health Laboratory Services Revolving Fund .. | \$5,892 |
| 6 | Provider Inquiry Trust Fund | \$1,742 |
| 7 | Lead Poisoning Screening, | |
| 8 | Prevention, and Abatement Fund | \$8,200 |
| 9 | Drug Treatment Fund | \$14,028 |
| 10 | Feed Control Fund | \$2,472 |
| 11 | Plumbing Licensure and Program Fund | \$3,521 |
| 12 | Insurance Premium Tax Refund Fund | \$7,872 |
| 13 | Tax Compliance and Administration Fund | \$5,416 |
| 14 | Appraisal Administration Fund | \$2,924 |
| 15 | Trauma Center Fund | \$40,139 |
| 16 | Alternate Fuels Fund | \$1,467 |
| 17 | Illinois State Fair Fund | \$13,844 |
| 18 | State Asset Forfeiture Fund | \$8,210 |
| 19 | Federal Asset Forfeiture Fund | \$6,471 |
| 20 | Department of Corrections Reimbursement | |
| 21 | and Education Fund | \$78,965 |
| 22 | Health Facility Plan Review Fund | \$3,444 |
| 23 | LEADS Maintenance Fund | \$6,075 |
| 24 | State Offender DNA Identification | |
| 25 | System Fund | \$1,712 |
| 26 | Illinois Historic Sites Fund | \$4,511 |

| | | |
|----|--|-----------|
| 1 | Public Pension Regulation Fund | \$2,313 |
| 2 | Workforce, Technology, and Economic | |
| 3 | Development Fund | \$5,357 |
| 4 | Renewable Energy Resources Trust Fund | \$29,920 |
| 5 | Energy Efficiency Trust Fund | \$8,368 |
| 6 | Pesticide Control Fund | \$6,687 |
| 7 | Conservation 2000 Fund | \$30,764 |
| 8 | Wireless Carrier Reimbursement Fund | \$91,024 |
| 9 | International Tourism Fund | \$13,057 |
| 10 | Public Transportation Fund | \$701,837 |
| 11 | Horse Racing Fund | \$18,589 |
| 12 | Death Certificate Surcharge Fund | \$1,901 |
| 13 | State Police Wireless Service | |
| 14 | Emergency Fund | \$1,012 |
| 15 | Downstate Public Transportation Fund | \$112,085 |
| 16 | Motor Carrier Safety Inspection Fund | \$6,543 |
| 17 | State Police Whistleblower Reward | |
| 18 | and Protection Fund | \$1,894 |
| 19 | Illinois Standardbred Breeders Fund | \$4,412 |
| 20 | Illinois Thoroughbred Breeders Fund | \$6,635 |
| 21 | Illinois Clean Water Fund | \$17,579 |
| 22 | Independent Academic Medical Center Fund | \$5,611 |
| 23 | Child Support Administrative Fund | \$432,527 |
| 24 | Corporate Headquarters Relocation | |
| 25 | Assistance Fund | \$4,047 |
| 26 | Local Initiative Fund | \$58,762 |

| | | |
|----|--|----------|
| 1 | Tourism Promotion Fund | \$88,072 |
| 2 | Digital Divide Elimination Fund | \$11,593 |
| 3 | Presidential Library and Museum Operating Fund | \$4,624 |
| 4 | Metro-East Public Transportation Fund | \$47,787 |
| 5 | Medical Special Purposes Trust Fund | \$11,779 |
| 6 | Dram Shop Fund | \$11,317 |
| 7 | Illinois State Dental Disciplinary Fund | \$1,986 |
| 8 | Hazardous Waste Research Fund | \$1,333 |
| 9 | Real Estate License Administration Fund | \$10,886 |
| 10 | Traffic and Criminal Conviction | |
| 11 | Surcharge Fund | \$44,798 |
| 12 | Criminal Justice Information | |
| 13 | Systems Trust Fund | \$5,693 |
| 14 | Design Professionals Administration | |
| 15 | and Investigation Fund | \$2,036 |
| 16 | State Surplus Property Revolving Fund | \$6,829 |
| 17 | Illinois Forestry Development Fund | \$7,012 |
| 18 | State Police Services Fund | \$47,072 |
| 19 | Youth Drug Abuse Prevention Fund | \$1,299 |
| 20 | Metabolic Screening and Treatment Fund | \$15,947 |
| 21 | Insurance Producer Administration Fund | \$30,870 |
| 22 | Coal Technology Development Assistance Fund | \$43,692 |
| 23 | Rail Freight Loan Repayment Fund | \$1,016 |
| 24 | Low-Level Radioactive Waste | |
| 25 | Facility Development and Operation Fund | \$1,989 |
| 26 | Environmental Protection Permit and Inspection Fund | \$32,125 |

| | | |
|----|--|-------------|
| 1 | Park and Conservation Fund | \$41,038 |
| 2 | Local Tourism Fund | \$34,492 |
| 3 | Illinois Capital Revolving Loan Fund | \$10,624 |
| 4 | Illinois Equity Fund | \$1,929 |
| 5 | Large Business Attraction Fund | \$5,554 |
| 6 | Illinois Beach Marina Fund | \$5,053 |
| 7 | International and Promotional Fund | \$1,466 |
| 8 | Public Infrastructure Construction | |
| 9 | Loan Revolving Fund | \$3,111 |
| 10 | Insurance Financial Regulation Fund | \$42,575 |
| 11 | Total | \$4,975,487 |

12 (e-7) Notwithstanding any other provision of State law to
13 the contrary, on or after July 1, 2006 and through June 30,
14 2007, in addition to any other transfers that may be provided
15 for by law, at the direction of and upon notification from the
16 Director of Central Management Services, the State Comptroller
17 shall direct and the State Treasurer shall transfer amounts
18 into the Professional Services Fund from the designated funds
19 not exceeding the following totals:

| | | |
|----|--|----------|
| 20 | Food and Drug Safety Fund | \$3,300 |
| 21 | Financial Institution Fund | \$13,000 |
| 22 | General Professions Dedicated Fund | \$8,600 |
| 23 | Illinois Department of Agriculture | |
| 24 | Laboratory Services Revolving Fund | \$2,000 |
| 25 | Illinois Veterans' Rehabilitation Fund | \$11,300 |
| 26 | State Boating Act Fund | \$27,200 |

| | | |
|----|---|-------------|
| 1 | State Parks Fund | \$22,100 |
| 2 | Agricultural Premium Fund | \$59,800 |
| 3 | Fire Prevention Fund | \$30,000 |
| 4 | Mental Health Fund | \$78,700 |
| 5 | Illinois State Pharmacy Disciplinary Fund | \$2,800 |
| 6 | Radiation Protection Fund | \$16,100 |
| 7 | Solid Waste Management Fund | \$37,900 |
| 8 | Illinois Gaming Law Enforcement Fund | \$7,300 |
| 9 | Subtitle D Management Fund | \$4,700 |
| 10 | Illinois State Medical Disciplinary Fund | \$8,700 |
| 11 | Facility Licensing Fund | \$1,100 |
| 12 | Youth Alcoholism and | |
| 13 | Substance Abuse Prevention Fund | \$2,800 |
| 14 | Plugging and Restoration Fund | \$1,100 |
| 15 | State Crime Laboratory Fund | \$1,400 |
| 16 | Motor Vehicle Theft Prevention Trust Fund | \$9,200 |
| 17 | Weights and Measures Fund | \$5,000 |
| 18 | Illinois School Asbestos Abatement Fund | \$2,200 |
| 19 | Violence Prevention Fund | \$5,200 |
| 20 | Capital Development Board Revolving Fund | \$14,900 |
| 21 | DCFS Children's Services Fund | \$1,294,000 |
| 22 | State Police DUI Fund | \$1,400 |
| 23 | Illinois Health Facilities Planning Fund | \$3,200 |
| 24 | Emergency Public Health Fund | \$8,000 |
| 25 | Fair and Exposition Fund | \$3,800 |
| 26 | Nursing Dedicated and Professional Fund | \$5,800 |

| | | |
|----|---|-----------|
| 1 | Optometric Licensing and Disciplinary Board Fund .. | \$1,000 |
| 2 | Underground Resources Conservation | |
| 3 | Enforcement Fund | \$1,200 |
| 4 | State Rail Freight Loan Repayment Fund | \$6,500 |
| 5 | Drunk and Drugged Driving Prevention Fund | \$5,500 |
| 6 | Illinois Affordable Housing Trust Fund | \$118,900 |
| 7 | Community Water Supply Laboratory Fund | \$10,100 |
| 8 | Used Tire Management Fund | \$17,600 |
| 9 | Natural Areas Acquisition Fund | \$15,600 |
| 10 | Open Space Lands Acquisition | |
| 11 | and Development Fund | \$49,400 |
| 12 | Working Capital Revolving Fund | \$127,100 |
| 13 | State Garage Revolving Fund | \$93,100 |
| 14 | Statistical Services Revolving Fund | \$183,000 |
| 15 | Paper and Printing Revolving Fund | \$3,700 |
| 16 | Air Transportation Revolving Fund | \$2,000 |
| 17 | Communications Revolving Fund | \$306,100 |
| 18 | Environmental Laboratory Certification Fund | \$1,400 |
| 19 | Public Health Laboratory Services | |
| 20 | Revolving Fund | \$5,900 |
| 21 | Provider Inquiry Trust Fund | \$1,800 |
| 22 | Lead Poisoning Screening, Prevention, | |
| 23 | and Abatement Fund | \$8,200 |
| 24 | Drug Treatment Fund | \$14,100 |
| 25 | Feed Control Fund | \$2,500 |
| 26 | Plumbing Licensure and Program Fund | \$3,500 |

| | | |
|----|---|-----------|
| 1 | Insurance Premium Tax Refund Fund | \$7,900 |
| 2 | Tax Compliance and Administration Fund | \$5,400 |
| 3 | Appraisal Administration Fund | \$2,900 |
| 4 | Trauma Center Fund | \$40,400 |
| 5 | Alternate Fuels Fund | \$1,500 |
| 6 | Illinois State Fair Fund | \$13,900 |
| 7 | State Asset Forfeiture Fund | \$8,300 |
| 8 | Department of Corrections | |
| 9 | Reimbursement and Education Fund | \$79,400 |
| 10 | Health Facility Plan Review Fund | \$3,500 |
| 11 | LEADS Maintenance Fund | \$6,100 |
| 12 | State Offender DNA Identification System Fund | \$1,700 |
| 13 | Illinois Historic Sites Fund | \$4,500 |
| 14 | Public Pension Regulation Fund | \$2,300 |
| 15 | Workforce, Technology, and Economic | |
| 16 | Development Fund | \$5,400 |
| 17 | Renewable Energy Resources Trust Fund | \$30,100 |
| 18 | Energy Efficiency Trust Fund | \$8,400 |
| 19 | Pesticide Control Fund | \$6,700 |
| 20 | Conservation 2000 Fund | \$30,900 |
| 21 | Wireless Carrier Reimbursement Fund | \$91,600 |
| 22 | International Tourism Fund | \$13,100 |
| 23 | Public Transportation Fund | \$705,900 |
| 24 | Horse Racing Fund | \$18,700 |
| 25 | Death Certificate Surcharge Fund | \$1,900 |
| 26 | State Police Wireless Service Emergency Fund | \$1,000 |

| | | |
|----|--|-----------|
| 1 | Downstate Public Transportation Fund | \$112,700 |
| 2 | Motor Carrier Safety Inspection Fund | \$6,600 |
| 3 | State Police Whistleblower | |
| 4 | Reward and Protection Fund | \$1,900 |
| 5 | Illinois Standardbred Breeders Fund | \$4,400 |
| 6 | Illinois Thoroughbred Breeders Fund | \$6,700 |
| 7 | Illinois Clean Water Fund | \$17,700 |
| 8 | Child Support Administrative Fund | \$435,100 |
| 9 | Tourism Promotion Fund | \$88,600 |
| 10 | Digital Divide Elimination Fund | \$11,700 |
| 11 | Presidential Library and Museum Operating Fund | \$4,700 |
| 12 | Metro-East Public Transportation Fund | \$48,100 |
| 13 | Medical Special Purposes Trust Fund | \$11,800 |
| 14 | Dram Shop Fund | \$11,400 |
| 15 | Illinois State Dental Disciplinary Fund | \$2,000 |
| 16 | Hazardous Waste Research Fund | \$1,300 |
| 17 | Real Estate License Administration Fund | \$10,900 |
| 18 | Traffic and Criminal Conviction Surcharge Fund .. | \$45,100 |
| 19 | Criminal Justice Information Systems Trust Fund | \$5,700 |
| 20 | Design Professionals Administration | |
| 21 | and Investigation Fund | \$2,000 |
| 22 | State Surplus Property Revolving Fund | \$6,900 |
| 23 | State Police Services Fund | \$47,300 |
| 24 | Youth Drug Abuse Prevention Fund | \$1,300 |
| 25 | Metabolic Screening and Treatment Fund | \$16,000 |
| 26 | Insurance Producer Administration Fund | \$31,100 |

| | | |
|----|---|-------------|
| 1 | Coal Technology Development Assistance Fund | \$43,900 |
| 2 | Low-Level Radioactive Waste Facility | |
| 3 | Development and Operation Fund | \$2,000 |
| 4 | Environmental Protection Permit | |
| 5 | and Inspection Fund | \$32,300 |
| 6 | Park and Conservation Fund | \$41,300 |
| 7 | Local Tourism Fund | \$34,700 |
| 8 | Illinois Capital Revolving Loan Fund | \$10,700 |
| 9 | Illinois Equity Fund | \$1,900 |
| 10 | Large Business Attraction Fund | \$5,600 |
| 11 | Illinois Beach Marina Fund | \$5,100 |
| 12 | International and Promotional Fund | \$1,500 |
| 13 | Public Infrastructure Construction | |
| 14 | Loan Revolving Fund | \$3,100 |
| 15 | Insurance Financial Regulation Fund | \$42,800 |
| 16 | Total | \$4,918,200 |

17 (e-10) Notwithstanding any other provision of State law to
18 the contrary and in addition to any other transfers that may be
19 provided for by law, on the first day of each calendar quarter
20 of the fiscal year beginning July 1, 2005, or as soon as may be
21 practical thereafter, the State Comptroller shall direct and
22 the State Treasurer shall transfer from each designated fund
23 into the Professional Services Fund amounts equal to one-fourth
24 of each of the following totals:

| | | |
|----|----------------------------|-------------|
| 25 | General Revenue Fund | \$4,440,000 |
| 26 | Road Fund | \$5,324,411 |

1 Total \$9,764,411

2 (e-15) Notwithstanding any other provision of State law to
3 the contrary and in addition to any other transfers that may be
4 provided for by law, the State Comptroller shall direct and the
5 State Treasurer shall transfer from the funds specified into
6 the Professional Services Fund according to the schedule
7 specified herein as follows:

| | | |
|----|----------------------------|-------------|
| 8 | General Revenue Fund | \$4,466,000 |
| 9 | Road Fund | \$5,355,500 |
| 10 | Total | \$9,821,500 |

11 One-fourth of the specified amount shall be transferred on
12 each of July 1 and October 1, 2006, or as soon as may be
13 practical thereafter, and one-half of the specified amount
14 shall be transferred on January 1, 2007, or as soon as may be
15 practical thereafter.

16 (e-20) Notwithstanding any other provision of State law to
17 the contrary, on or after July 1, 2010 and through June 30,
18 2011, in addition to any other transfers that may be provided
19 for by law, at the direction of and upon notification from the
20 Director of Central Management Services, the State Comptroller
21 shall direct and the State Treasurer shall transfer amounts
22 into the Professional Services Fund from the designated funds
23 not exceeding the following totals:

| | | |
|----|---|-----------------|
| 24 | <u>Grade Crossing Protection Fund</u> | <u>\$55,300</u> |
| 25 | <u>Financial Institution Fund</u> | <u>\$10,000</u> |
| 26 | <u>General Professions Dedicated Fund</u> | <u>\$11,600</u> |

| | | |
|----|--|------------------|
| 1 | <u>Illinois Veterans' Rehabilitation Fund</u> | <u>\$10,800</u> |
| 2 | <u>State Boating Act Fund</u> | <u>\$23,500</u> |
| 3 | <u>State Parks Fund</u> | <u>\$21,200</u> |
| 4 | <u>Agricultural Premium Fund</u> | <u>\$55,400</u> |
| 5 | <u>Fire Prevention Fund</u> | <u>\$46,100</u> |
| 6 | <u>Mental Health Fund</u> | <u>\$45,200</u> |
| 7 | <u>Illinois State Pharmacy Disciplinary Fund</u> | <u>\$300</u> |
| 8 | <u>Radiation Protection Fund</u> | <u>\$12,900</u> |
| 9 | <u>Solid Waste Management Fund</u> | <u>\$48,100</u> |
| 10 | <u>Illinois Gaming Law Enforcement Fund</u> | <u>\$2,900</u> |
| 11 | <u>Subtitle D Management Fund</u> | <u>\$6,300</u> |
| 12 | <u>Illinois State Medical Disciplinary Fund</u> | <u>\$9,200</u> |
| 13 | <u>Weights and Measures Fund</u> | <u>\$6,700</u> |
| 14 | <u>Violence Prevention Fund</u> | <u>\$4,000</u> |
| 15 | <u>Capital Development Board Revolving Fund</u> | <u>\$7,900</u> |
| 16 | <u>DCFS Children's Services Fund</u> | <u>\$804,800</u> |
| 17 | <u>Illinois Health Facilities Planning Fund</u> | <u>\$4,000</u> |
| 18 | <u>Emergency Public Health Fund</u> | <u>\$7,600</u> |
| 19 | <u>Nursing Dedicated and Professional Fund</u> | <u>\$5,600</u> |
| 20 | <u>State Rail Freight Loan Repayment Fund</u> | <u>\$1,700</u> |
| 21 | <u>Drunk and Drugged Driving Prevention Fund</u> | <u>\$4,600</u> |
| 22 | <u>Community Water Supply Laboratory Fund</u> | <u>\$3,100</u> |
| 23 | <u>Used Tire Management Fund</u> | <u>\$15,200</u> |
| 24 | <u>Natural Areas Acquisition Fund</u> | <u>\$33,400</u> |
| 25 | <u>Open Space Lands Acquisition</u> | |
| 26 | <u>and Development Fund</u> | <u>\$62,100</u> |

| | | |
|----|---|-----------|
| 1 | <u>Working Capital Revolving Fund</u> | \$91,700 |
| 2 | <u>State Garage Revolving Fund</u> | \$89,600 |
| 3 | <u>Statistical Services Revolving Fund</u> | \$277,700 |
| 4 | <u>Communications Revolving Fund</u> | \$248,100 |
| 5 | <u>Facilities Management Revolving Fund</u> | \$472,600 |
| 6 | <u>Public Health Laboratory Services</u> | |
| 7 | <u>Revolving Fund</u> | \$5,900 |
| 8 | <u>Lead Poisoning Screening, Prevention,</u> | |
| 9 | <u>and Abatement Fund</u> | \$7,900 |
| 10 | <u>Drug Treatment Fund</u> | \$8,700 |
| 11 | <u>Tax Compliance and Administration Fund</u> | \$8,300 |
| 12 | <u>Trauma Center Fund</u> | \$34,800 |
| 13 | <u>Illinois State Fair Fund</u> | \$12,700 |
| 14 | <u>Department of Corrections</u> | |
| 15 | <u>Reimbursement and Education Fund</u> | \$77,600 |
| 16 | <u>Illinois Historic Sites Fund</u> | \$4,200 |
| 17 | <u>Pesticide Control Fund</u> | \$7,000 |
| 18 | <u>Partners for Conservation Fund</u> | \$25,000 |
| 19 | <u>International Tourism Fund</u> | \$14,100 |
| 20 | <u>Horse Racing Fund</u> | \$14,800 |
| 21 | <u>Motor Carrier Safety Inspection Fund</u> | \$4,500 |
| 22 | <u>Illinois Standardbred Breeders Fund</u> | \$3,400 |
| 23 | <u>Illinois Thoroughbred Breeders Fund</u> | \$5,200 |
| 24 | <u>Illinois Clean Water Fund</u> | \$19,400 |
| 25 | <u>Child Support Administrative Fund</u> | \$398,000 |
| 26 | <u>Tourism Promotion Fund</u> | \$75,300 |

| | | |
|----|--|--------------------|
| 1 | <u>Digital Divide Elimination Fund</u> | <u>\$11,800</u> |
| 2 | <u>Presidential Library and Museum Operating Fund ..</u> | <u>\$25,900</u> |
| 3 | <u>Medical Special Purposes Trust Fund</u> | <u>\$10,800</u> |
| 4 | <u>Dram Shop Fund</u> | <u>\$12,700</u> |
| 5 | <u>Cycle Rider Safety Training Fund</u> | <u>\$7,100</u> |
| 6 | <u>State Police Services Fund</u> | <u>\$43,600</u> |
| 7 | <u>Metabolic Screening and Treatment Fund</u> | <u>\$23,900</u> |
| 8 | <u>Insurance Producer Administration Fund</u> | <u>\$16,800</u> |
| 9 | <u>Coal Technology Development Assistance Fund</u> | <u>\$43,700</u> |
| 10 | <u>Environmental Protection Permit</u> | |
| 11 | <u>and Inspection Fund</u> | <u>\$21,600</u> |
| 12 | <u>Park and Conservation Fund</u> | <u>\$38,100</u> |
| 13 | <u>Local Tourism Fund</u> | <u>\$31,800</u> |
| 14 | <u>Illinois Capital Revolving Loan Fund</u> | <u>\$5,800</u> |
| 15 | <u>Large Business Attraction Fund</u> | <u>\$300</u> |
| 16 | <u>Adeline Jay Geo-Karis Illinois</u> | |
| 17 | <u>Beach Marina Fund</u> | <u>\$5,000</u> |
| 18 | <u>Insurance Financial Regulation Fund</u> | <u>\$23,000</u> |
| 19 | <u>Total</u> | <u>\$3,547,900</u> |

20 (e-25) Notwithstanding any other provision of State law to
 21 the contrary and in addition to any other transfers that may be
 22 provided for by law, the State Comptroller shall direct and the
 23 State Treasurer shall transfer from the funds specified into
 24 the Professional Services Fund according to the schedule
 25 specified as follows:

| | | |
|----|-----------------------------------|--------------------|
| 26 | <u>General Revenue Fund</u> | <u>\$4,600,000</u> |
|----|-----------------------------------|--------------------|

| | | |
|---|------------------------|--------------------|
| 1 | <u>Road Fund</u> | <u>\$4,852,500</u> |
| 2 | <u>Total</u> | <u>\$9,452,500</u> |

3 One fourth of the specified amount shall be transferred on
4 each of July 1 and October 1, 2010, or as soon as may be
5 practical thereafter, and one half of the specified amount
6 shall be transferred on January 1, 2011, or as soon as may be
7 practical thereafter.

8 (f) The term "professional services" means services
9 rendered on behalf of State agencies and other State entities
10 pursuant to Section 405-293 of the Department of Central
11 Management Services Law of the Civil Administrative Code of
12 Illinois.

13 (Source: P.A. 93-839, eff. 7-30-04; 94-91, eff. 7-1-05; 94-839,
14 eff. 6-6-06.)

15 (30 ILCS 105/6z-64)

16 Sec. 6z-64. The Workers' Compensation Revolving Fund.

17 (a) The Workers' Compensation Revolving Fund is created as
18 a revolving fund, not subject to fiscal year limitations, in
19 the State treasury. The following moneys shall be deposited
20 into the Fund:

21 (1) amounts authorized for transfer to the Fund from
22 the General Revenue Fund and other State funds (except for
23 funds classified by the Comptroller as federal trust funds
24 or State trust funds) pursuant to State law or Executive
25 Order;

1 (2) federal funds received by the Department of Central
2 Management Services (the "Department") as a result of
3 expenditures from the Fund;

4 (3) interest earned on moneys in the Fund;

5 (4) receipts or inter-fund transfers resulting from
6 billings issued by the Department to State agencies and
7 universities for the cost of workers' compensation
8 services rendered by the Department that are not
9 compensated through the specific fund transfers authorized
10 by this Section, if any;

11 (5) amounts received from a State agency or university
12 for workers' compensation payments for temporary total
13 disability, as provided in Section 405-105 of the
14 Department of Central Management Services Law of the Civil
15 Administrative Code of Illinois; and

16 (6) amounts recovered through subrogation in workers'
17 compensation and workers' occupational disease cases.

18 (b) Moneys in the Fund may be used by the Department for
19 reimbursement or payment for:

20 (1) providing workers' compensation services to State
21 agencies and State universities; or

22 (2) providing for payment of administrative and other
23 expenses incurred by the Department in providing workers'
24 compensation services.

25 (c) State agencies may direct the Comptroller to process
26 inter-fund transfers or make payment through the voucher and

1 warrant process to the Workers' Compensation Revolving Fund in
2 satisfaction of billings issued under subsection (a) of this
3 Section.

4 (d) Reconciliation. For the fiscal year beginning on July
5 1, 2004 only, the Director of Central Management Services (the
6 "Director") shall order that each State agency's payments and
7 transfers made to the Fund be reconciled with actual Fund costs
8 for workers' compensation services provided by the Department
9 and attributable to the State agency and relevant fund on no
10 less than an annual basis. The Director may require reports
11 from State agencies as deemed necessary to perform this
12 reconciliation.

13 (d-5) Notwithstanding any other provision of State law to
14 the contrary, on or after July 1, 2005 and until June 30, 2006,
15 in addition to any other transfers that may be provided for by
16 law, at the direction of and upon notification of the Director
17 of Central Management Services, the State Comptroller shall
18 direct and the State Treasurer shall transfer amounts into the
19 Workers' Compensation Revolving Fund from the designated funds
20 not exceeding the following totals:

| | | |
|----|---|--------------|
| 21 | Mental Health Fund | \$17,694,000 |
| 22 | Statistical Services Revolving Fund | \$1,252,600 |
| 23 | Department of Corrections Reimbursement | |
| 24 | and Education Fund | \$1,198,600 |
| 25 | Communications Revolving Fund | \$535,400 |
| 26 | Child Support Administrative Fund | \$441,900 |

| | | |
|----|--|--------------|
| 1 | Health Insurance Reserve Fund | \$238,900 |
| 2 | Fire Prevention Fund | \$234,100 |
| 3 | Park and Conservation Fund | \$142,000 |
| 4 | Motor Fuel Tax Fund | \$132,800 |
| 5 | Illinois Workers' Compensation | |
| 6 | Commission Operations Fund | \$123,900 |
| 7 | State Boating Act Fund | \$112,300 |
| 8 | Public Utility Fund | \$106,500 |
| 9 | State Lottery Fund | \$101,300 |
| 10 | Traffic and Criminal Conviction | |
| 11 | Surcharge Fund | \$88,500 |
| 12 | State Surplus Property Revolving Fund | \$82,700 |
| 13 | Natural Areas Acquisition Fund | \$65,600 |
| 14 | Securities Audit and Enforcement Fund | \$65,200 |
| 15 | Agricultural Premium Fund | \$63,400 |
| 16 | Capital Development Fund | \$57,500 |
| 17 | State Gaming Fund | \$54,300 |
| 18 | Underground Storage Tank Fund | \$53,700 |
| 19 | Illinois State Medical Disciplinary Fund | \$53,000 |
| 20 | Personal Property Tax Replacement Fund | \$53,000 |
| 21 | General Professions Dedicated Fund | \$51,900 |
| 22 | Total | \$23,003,100 |

23 (d-10) Notwithstanding any other provision of State law to
24 the contrary and in addition to any other transfers that may be
25 provided for by law, on the first day of each calendar quarter
26 of the fiscal year beginning July 1, 2005, or as soon as may be

1 practical thereafter, the State Comptroller shall direct and
 2 the State Treasurer shall transfer from each designated fund
 3 into the Workers' Compensation Revolving Fund amounts equal to
 4 one-fourth of each of the following totals:

| | | |
|---|----------------------------|--------------|
| 5 | General Revenue Fund | \$34,000,000 |
| 6 | Road Fund..... | \$25,987,000 |
| 7 | Total | \$59,987,000 |

8 (d-12) Notwithstanding any other provision of State law to
 9 the contrary and in addition to any other transfers that may be
 10 provided for by law, on the effective date of this amendatory
 11 Act of the 94th General Assembly, or as soon as may be
 12 practical thereafter, the State Comptroller shall direct and
 13 the State Treasurer shall transfer from each designated fund
 14 into the Workers' Compensation Revolving Fund the following
 15 amounts:

| | | |
|----|----------------------------|--------------|
| 16 | General Revenue Fund | \$10,000,000 |
| 17 | Road Fund..... | \$5,000,000 |
| 18 | Total | \$15,000,000 |

19 (d-15) Notwithstanding any other provision of State law to
 20 the contrary and in addition to any other transfers that may be
 21 provided for by law, on July 1, 2006, or as soon as may be
 22 practical thereafter, the State Comptroller shall direct and
 23 the State Treasurer shall transfer from each designated fund
 24 into the Workers' Compensation Revolving Fund the following
 25 amounts:

| | | |
|----|----------------------------|--------------|
| 26 | General Revenue Fund | \$44,028,200 |
|----|----------------------------|--------------|

1 Road Fund \$28,084,000
 2 Total \$72,112,200

3 (d-20) Notwithstanding any other provision of State law to
 4 the contrary, on or after July 1, 2006 and until June 30, 2007,
 5 in addition to any other transfers that may be provided for by
 6 law, at the direction of and upon notification of the Director
 7 of Central Management Services, the State Comptroller shall
 8 direct and the State Treasurer shall transfer amounts into the
 9 Workers' Compensation Revolving Fund from the designated funds
 10 not exceeding the following totals:

11 Mental Health Fund \$19,121,800
 12 Statistical Services Revolving Fund \$1,353,700
 13 Department of Corrections Reimbursement
 14 and Education Fund \$1,295,300
 15 Communications Revolving Fund \$578,600
 16 Child Support Administrative Fund \$477,600
 17 Health Insurance Reserve Fund \$258,200
 18 Fire Prevention Fund \$253,000
 19 Park and Conservation Fund \$153,500
 20 Motor Fuel Tax Fund \$143,500
 21 Illinois Workers' Compensation
 22 Commission Operations Fund \$133,900
 23 State Boating Act Fund \$121,400
 24 Public Utility Fund \$115,100
 25 State Lottery Fund \$109,500
 26 Traffic and Criminal Conviction Surcharge Fund .. \$95,700

| | | |
|----|--|--------------|
| 1 | State Surplus Property Revolving Fund | \$89,400 |
| 2 | Natural Areas Acquisition Fund | \$70,800 |
| 3 | Securities Audit and Enforcement Fund | \$70,400 |
| 4 | Agricultural Premium Fund | \$68,500 |
| 5 | State Gaming Fund | \$58,600 |
| 6 | Underground Storage Tank Fund | \$58,000 |
| 7 | Illinois State Medical Disciplinary Fund | \$57,200 |
| 8 | Personal Property Tax Replacement Fund | \$57,200 |
| 9 | General Professions Dedicated Fund | \$56,100 |
| 10 | Total | \$24,797,000 |

11 (d-25) Notwithstanding any other provision of State law to
 12 the contrary and in addition to any other transfers that may be
 13 provided for by law, on July 1, 2009, or as soon as may be
 14 practical thereafter, the State Comptroller shall direct and
 15 the State Treasurer shall transfer from each designated fund
 16 into the Workers' Compensation Revolving Fund the following
 17 amounts:

| | | |
|----|----------------------------|--------------|
| 18 | General Revenue Fund | \$55,000,000 |
| 19 | Road Fund | \$34,803,000 |
| 20 | Total | \$89,803,000 |

21 (d-30) Notwithstanding any other provision of State law to
 22 the contrary, on or after July 1, 2009 and until June 30, 2010,
 23 in addition to any other transfers that may be provided for by
 24 law, at the direction of and upon notification of the Director
 25 of Central Management Services, the State Comptroller shall
 26 direct and the State Treasurer shall transfer amounts into the

1 Workers' Compensation Revolving Fund from the designated funds
2 not exceeding the following totals:

| | | |
|----|---|-------------|
| 3 | Food and Drug Safety Fund | \$13,900 |
| 4 | Teacher Certificate Fee Revolving Fund | \$6,500 |
| 5 | Transportation Regulatory Fund | \$14,500 |
| 6 | Financial Institution Fund | \$25,200 |
| 7 | General Professions Dedicated Fund | \$25,300 |
| 8 | Illinois Veterans' Rehabilitation Fund | \$64,600 |
| 9 | State Boating Act Fund | \$177,100 |
| 10 | State Parks Fund | \$104,300 |
| 11 | Lobbyist Registration Administration Fund | \$14,400 |
| 12 | Agricultural Premium Fund | \$79,100 |
| 13 | Fire Prevention Fund | \$360,200 |
| 14 | Mental Health Fund | \$9,725,200 |
| 15 | Illinois State Pharmacy Disciplinary Fund | \$5,600 |
| 16 | Public Utility Fund | \$40,900 |
| 17 | Radiation Protection Fund | \$14,200 |
| 18 | Firearm Owner's Notification Fund | \$1,300 |
| 19 | Solid Waste Management Fund | \$74,100 |
| 20 | Illinois Gaming Law Enforcement Fund | \$17,800 |
| 21 | Subtitle D Management Fund | \$14,100 |
| 22 | Illinois State Medical Disciplinary Fund | \$26,500 |
| 23 | Facility Licensing Fund | \$11,700 |
| 24 | Plugging and Restoration Fund | \$9,100 |
| 25 | Explosives Regulatory Fund | \$2,300 |
| 26 | Aggregate Operations Regulatory Fund | \$5,000 |

| | | |
|----|--|-----------|
| 1 | Coal Mining Regulatory Fund | \$1,900 |
| 2 | Registered Certified Public Accountants' | |
| 3 | Administration and Disciplinary Fund | \$1,500 |
| 4 | Weights and Measures Fund | \$56,100 |
| 5 | Division of Corporations Registered | |
| 6 | Limited Liability Partnership Fund | \$3,900 |
| 7 | Illinois School Asbestos Abatement Fund | \$14,000 |
| 8 | Secretary of State Special License Plate Fund | \$30,700 |
| 9 | Capital Development Board Revolving Fund | \$27,000 |
| 10 | DCFS Children's Services Fund | \$69,300 |
| 11 | Asbestos Abatement Fund | \$17,200 |
| 12 | Illinois Health Facilities Planning Fund | \$26,800 |
| 13 | Emergency Public Health Fund | \$5,600 |
| 14 | Nursing Dedicated and Professional Fund | \$10,000 |
| 15 | Optometric Licensing and Disciplinary | |
| 16 | Board Fund | \$1,600 |
| 17 | Underground Resources Conservation | |
| 18 | Enforcement Fund | \$11,500 |
| 19 | Drunk and Drugged Driving Prevention Fund | \$18,200 |
| 20 | Long Term Care Monitor/Receiver Fund | \$35,400 |
| 21 | Community Water Supply Laboratory Fund | \$5,600 |
| 22 | Securities Investors Education Fund | \$2,000 |
| 23 | Used Tire Management Fund | \$32,400 |
| 24 | Natural Areas Acquisition Fund | \$101,200 |
| 25 | Open Space Lands Acquisition | |
| 26 | and Development Fund | \$28,400 |

| | | |
|----|--|-------------|
| 1 | Working Capital Revolving Fund | \$489,100 |
| 2 | State Garage Revolving Fund | \$791,900 |
| 3 | Statistical Services Revolving Fund | \$3,984,700 |
| 4 | Communications Revolving Fund | \$1,432,800 |
| 5 | Facilities Management Revolving Fund | \$1,911,600 |
| 6 | Professional Services Fund | \$483,600 |
| 7 | Motor Vehicle Review Board Fund | \$15,000 |
| 8 | Environmental Laboratory Certification Fund | \$3,000 |
| 9 | Public Health Laboratory Services | |
| 10 | Revolving Fund | \$2,500 |
| 11 | Lead Poisoning Screening, Prevention, | |
| 12 | and Abatement Fund | \$28,200 |
| 13 | Securities Audit and Enforcement Fund | \$258,400 |
| 14 | Department of Business Services | |
| 15 | Special Operations Fund | \$111,900 |
| 16 | Feed Control Fund | \$20,800 |
| 17 | Tanning Facility Permit Fund | \$5,400 |
| 18 | Plumbing Licensure and Program Fund | \$24,400 |
| 19 | Tax Compliance and Administration Fund | \$27,200 |
| 20 | Appraisal Administration Fund | \$2,400 |
| 21 | Small Business Environmental Assistance Fund | \$2,200 |
| 22 | Illinois State Fair Fund | \$31,400 |
| 23 | Secretary of State Special Services Fund | \$317,600 |
| 24 | Department of Corrections Reimbursement | |
| 25 | and Education Fund | \$324,500 |
| 26 | Health Facility Plan Review Fund | \$31,200 |

| | | |
|----|--|-------------|
| 1 | Illinois Historic Sites Fund | \$11,500 |
| 2 | Attorney General Court Ordered and Voluntary | |
| 3 | Compliance Payment Projects Fund | \$18,500 |
| 4 | Public Pension Regulation Fund | \$5,600 |
| 5 | Illinois Charity Bureau Fund | \$11,400 |
| 6 | Renewable Energy Resources Trust Fund | \$6,700 |
| 7 | Energy Efficiency Trust Fund | \$3,600 |
| 8 | Pesticide Control Fund | \$56,800 |
| 9 | Attorney General Whistleblower Reward | |
| 10 | and Protection Fund | \$14,200 |
| 11 | Partners for Conservation Fund | \$36,900 |
| 12 | Capital Litigation Trust Fund | \$800 |
| 13 | Motor Vehicle License Plate Fund | \$99,700 |
| 14 | Horse Racing Fund | \$18,900 |
| 15 | Death Certificate Surcharge Fund | \$12,800 |
| 16 | Auction Regulation Administration Fund | \$500 |
| 17 | Motor Carrier Safety Inspection Fund | \$55,800 |
| 18 | Assisted Living and Shared Housing | |
| 19 | Regulatory Fund | \$900 |
| 20 | Illinois Thoroughbred Breeders Fund | \$9,200 |
| 21 | Illinois Clean Water Fund | \$42,300 |
| 22 | Secretary of State DUI Administration Fund | \$16,100 |
| 23 | Child Support Administrative Fund | \$1,037,900 |
| 24 | Secretary of State Police Services Fund | \$1,200 |
| 25 | Tourism Promotion Fund | \$34,400 |
| 26 | IMSA Income Fund | \$12,700 |

| | | |
|----|---|-----------|
| 1 | Presidential Library and Museum Operating Fund .. | \$83,000 |
| 2 | Dram Shop Fund | \$44,500 |
| 3 | Illinois State Dental Disciplinary Fund | \$5,700 |
| 4 | Cycle Rider Safety Training Fund | \$8,700 |
| 5 | Traffic and Criminal Conviction Surcharge Fund .. | \$106,100 |
| 6 | Design Professionals Administration | |
| 7 | and Investigation Fund | \$4,500 |
| 8 | State Police Services Fund | \$276,100 |
| 9 | Metabolic Screening and Treatment Fund | \$90,800 |
| 10 | Insurance Producer Administration Fund | \$45,600 |
| 11 | Coal Technology Development Assistance Fund | \$11,700 |
| 12 | Hearing Instrument Dispenser Examining | |
| 13 | and Disciplinary Fund | \$1,900 |
| 14 | Low-Level Radioactive Waste Facility | |
| 15 | Development and Operation Fund | \$1,000 |
| 16 | Environmental Protection Permit and | |
| 17 | Inspection Fund | \$66,900 |
| 18 | Park and Conservation Fund | \$199,300 |
| 19 | Local Tourism Fund | \$2,400 |
| 20 | Illinois Capital Revolving Loan Fund | \$10,000 |
| 21 | Large Business Attraction Fund | \$100 |
| 22 | Adeline Jay Geo-Karis Illinois Beach | |
| 23 | Marina Fund | \$27,200 |
| 24 | Public Infrastructure Construction | |
| 25 | Loan Revolving Fund | \$1,700 |
| 26 | Insurance Financial Regulation Fund | \$69,200 |

1 Total \$24,197,800

2 (d-35) Notwithstanding any other provision of State law to
3 the contrary and in addition to any other transfers that may be
4 provided for by law, on July 1, 2010, or as soon as may be
5 practical thereafter, the State Comptroller shall direct and
6 the State Treasurer shall transfer from each designated fund
7 into the Workers' Compensation Revolving Fund the following
8 amounts:

9 General Revenue Fund \$55,000,000

10 Road Fund \$50,955,300

11 Total \$105,955,300

12 (d-40) Notwithstanding any other provision of State law to
13 the contrary, on or after July 1, 2010 and until June 30, 2011,
14 in addition to any other transfers that may be provided for by
15 law, at the direction of and upon notification of the Director
16 of Central Management Services, the State Comptroller shall
17 direct and the State Treasurer shall transfer amounts into the
18 Workers' Compensation Revolving Fund from the designated funds
19 not exceeding the following totals:

20 Food and Drug Safety Fund \$8,700

21 Financial Institution Fund \$44,500

22 General Professions Dedicated Fund \$51,400

23 Live and Learn Fund \$10,900

24 Illinois Veterans' Rehabilitation Fund \$106,000

25 State Boating Act Fund \$288,200

26 State Parks Fund \$185,900

| | | |
|----|--|--------------------|
| 1 | <u>Wildlife and Fish Fund</u> | <u>\$1,550,300</u> |
| 2 | <u>Lobbyist Registration Administration Fund</u> | <u>\$18,100</u> |
| 3 | <u>Agricultural Premium Fund</u> | <u>\$176,100</u> |
| 4 | <u>Mental Health Fund</u> | <u>\$291,900</u> |
| 5 | <u>Firearm Owner's Notification Fund</u> | <u>\$2,300</u> |
| 6 | <u>Illinois Gaming Law Enforcement Fund</u> | <u>\$11,300</u> |
| 7 | <u>Illinois State Medical Disciplinary Fund</u> | <u>\$42,300</u> |
| 8 | <u>Facility Licensing Fund</u> | <u>\$14,200</u> |
| 9 | <u>Plugging and Restoration Fund</u> | <u>\$15,600</u> |
| 10 | <u>Explosives Regulatory Fund</u> | <u>\$4,800</u> |
| 11 | <u>Aggregate Operations Regulatory Fund</u> | <u>\$6,000</u> |
| 12 | <u>Coal Mining Regulatory Fund</u> | <u>\$7,200</u> |
| 13 | <u>Registered Certified Public Accountants'</u> | |
| 14 | <u>Administration and Disciplinary Fund</u> | <u>\$1,900</u> |
| 15 | <u>Weights and Measures Fund</u> | <u>\$105,200</u> |
| 16 | <u>Division of Corporations Registered</u> | |
| 17 | <u>Limited Liability Partnership Fund</u> | <u>\$5,300</u> |
| 18 | <u>Illinois School Asbestos Abatement Fund</u> | <u>\$19,900</u> |
| 19 | <u>Secretary of State Special License Plate Fund</u> | <u>\$38,700</u> |
| 20 | <u>DCFS Children's Services Fund</u> | <u>\$123,100</u> |
| 21 | <u>Illinois Health Facilities Planning Fund</u> | <u>\$29,700</u> |
| 22 | <u>Emergency Public Health Fund</u> | <u>\$6,800</u> |
| 23 | <u>Nursing Dedicated and Professional Fund</u> | <u>\$13,500</u> |
| 24 | <u>Optometric Licensing and Disciplinary</u> | |
| 25 | <u>Board Fund</u> | <u>\$1,800</u> |
| 26 | <u>Underground Resources Conservation</u> | |

| | | |
|----|--|-------------|
| 1 | <u>Enforcement Fund</u> | \$16,500 |
| 2 | <u>Mandatory Arbitration Fund</u> | \$5,400 |
| 3 | <u>Drunk and Drugged Driving Prevention Fund</u> | \$26,400 |
| 4 | <u>Long Term Care Monitor/Receiver Fund</u> | \$43,800 |
| 5 | <u>Securities Investors Education Fund</u> | \$28,500 |
| 6 | <u>Used Tire Management Fund</u> | \$6,300 |
| 7 | <u>Natural Areas Acquisition Fund</u> | \$185,000 |
| 8 | <u>Open Space Lands Acquisition and</u> | |
| 9 | <u>Development Fund</u> | \$46,800 |
| 10 | <u>Working Capital Revolving Fund</u> | \$741,500 |
| 11 | <u>State Garage Revolving Fund</u> | \$356,200 |
| 12 | <u>Statistical Services Revolving Fund</u> | \$1,775,900 |
| 13 | <u>Communications Revolving Fund</u> | \$630,600 |
| 14 | <u>Facilities Management Revolving Fund</u> | \$870,800 |
| 15 | <u>Professional Services Fund</u> | \$275,500 |
| 16 | <u>Motor Vehicle Review Board Fund</u> | \$12,900 |
| 17 | <u>Public Health Laboratory Services</u> | |
| 18 | <u>Revolving Fund</u> | \$5,300 |
| 19 | <u>Lead Poisoning Screening, Prevention,</u> | |
| 20 | <u>and Abatement Fund</u> | \$42,100 |
| 21 | <u>Securities Audit and Enforcement Fund</u> | \$162,700 |
| 22 | <u>Department of Business Services</u> | |
| 23 | <u>Special Operations Fund</u> | \$143,700 |
| 24 | <u>Feed Control Fund</u> | \$32,300 |
| 25 | <u>Tanning Facility Permit Fund</u> | \$3,900 |
| 26 | <u>Plumbing Licensure and Program Fund</u> | \$32,600 |

| | | |
|----|--|-------------|
| 1 | <u>Tax Compliance and Administration Fund</u> | \$48,400 |
| 2 | <u>Appraisal Administration Fund</u> | \$3,600 |
| 3 | <u>Illinois State Fair Fund</u> | \$30,200 |
| 4 | <u>Secretary of State Special Services Fund</u> | \$214,400 |
| 5 | <u>Department of Corrections Reimbursement</u> | |
| 6 | <u>and Education Fund</u> | \$438,300 |
| 7 | <u>Health Facility Plan Review Fund</u> | \$29,900 |
| 8 | <u>Public Pension Regulation Fund</u> | \$9,900 |
| 9 | <u>Pesticide Control Fund</u> | \$107,500 |
| 10 | <u>Partners for Conservation Fund</u> | \$189,300 |
| 11 | <u>Motor Vehicle License Plate Fund</u> | \$143,800 |
| 12 | <u>Horse Racing Fund</u> | \$20,900 |
| 13 | <u>Death Certificate Surcharge Fund</u> | \$16,800 |
| 14 | <u>Auction Regulation Administration Fund</u> | \$1,000 |
| 15 | <u>Motor Carrier Safety Inspection Fund</u> | \$56,800 |
| 16 | <u>Assisted Living and Shared Housing</u> | |
| 17 | <u>Regulatory Fund</u> | \$2,200 |
| 18 | <u>Illinois Thoroughbred Breeders Fund</u> | \$18,100 |
| 19 | <u>Secretary of State DUI Administration Fund</u> | \$19,800 |
| 20 | <u>Child Support Administrative Fund</u> | \$1,809,500 |
| 21 | <u>Secretary of State Police Services Fund</u> | \$2,500 |
| 22 | <u>Medical Special Purposes Trust Fund</u> | \$20,400 |
| 23 | <u>Dram Shop Fund</u> | \$57,200 |
| 24 | <u>Illinois State Dental Disciplinary Fund</u> | \$9,500 |
| 25 | <u>Cycle Rider Safety Training Fund</u> | \$12,200 |
| 26 | <u>Traffic and Criminal Conviction Surcharge Fund</u> .. | \$128,900 |

| | | |
|----|---|---------------------|
| 1 | <u>Design Professionals Administration</u> | |
| 2 | <u>and Investigation Fund</u> | <u>\$7,300</u> |
| 3 | <u>State Police Services Fund</u> | <u>\$335,700</u> |
| 4 | <u>Metabolic Screening and Treatment Fund</u> | <u>\$81,600</u> |
| 5 | <u>Insurance Producer Administration Fund</u> | <u>\$77,000</u> |
| 6 | <u>Hearing Instrument Dispenser Examining</u> | |
| 7 | <u>and Disciplinary Fund</u> | <u>\$1,900</u> |
| 8 | <u>Park and Conservation Fund</u> | <u>\$361,500</u> |
| 9 | <u>Adeline Jay Geo-Karis Illinois Beach</u> | |
| 10 | <u>Marina Fund</u> | <u>\$42,800</u> |
| 11 | <u>Insurance Financial Regulation Fund</u> | <u>\$108,000</u> |
| 12 | <u>Total</u> | <u>\$13,033,200</u> |

13 (e) The term "workers' compensation services" means
 14 services, claims expenses, and related administrative costs
 15 incurred in performing the duties under Sections 405-105 and
 16 405-411 of the Department of Central Management Services Law of
 17 the Civil Administrative Code of Illinois.

18 (Source: P.A. 95-744, eff. 7-18-08; 96-45, eff. 7-15-09.)

19 (30 ILCS 105/6z-70)

20 Sec. 6z-70. The Secretary of State Identification Security
 21 and Theft Prevention Fund.

22 (a) The Secretary of State Identification Security and
 23 Theft Prevention Fund is created as a special fund in the State
 24 treasury. The Fund shall consist of any fund transfers, grants,
 25 fees, or moneys from other sources received for the purpose of

1 funding identification security and theft prevention measures.

2 (b) All moneys in the Secretary of State Identification
3 Security and Theft Prevention Fund shall be used, subject to
4 appropriation, for any costs related to implementing
5 identification security and theft prevention measures.

6 (c) Notwithstanding any other provision of State law to the
7 contrary, on or after July 1, 2007, and until June 30, 2008, in
8 addition to any other transfers that may be provided for by
9 law, at the direction of and upon notification of the Secretary
10 of State, the State Comptroller shall direct and the State
11 Treasurer shall transfer amounts into the Secretary of State
12 Identification Security and Theft Prevention Fund from the
13 designated funds not exceeding the following totals:

| | | |
|----|--|--------------|
| 14 | Lobbyist Registration Administration Fund | \$100,000 |
| 15 | Registered Limited Liability Partnership Fund | \$75,000 |
| 16 | Securities Investors Education Fund | \$500,000 |
| 17 | Securities Audit and Enforcement Fund | \$5,725,000 |
| 18 | Department of Business Services | |
| 19 | Special Operations Fund | \$3,000,000 |
| 20 | Corporate Franchise Tax Refund Fund | \$3,000,000. |

21 (d) Notwithstanding any other provision of State law to the
22 contrary, on or after July 1, 2008, and until June 30, 2009, in
23 addition to any other transfers that may be provided for by
24 law, at the direction of and upon notification of the Secretary
25 of State, the State Comptroller shall direct and the State
26 Treasurer shall transfer amounts into the Secretary of State

1 Identification Security and Theft Prevention Fund from the
2 designated funds not exceeding the following totals:

- 3 Lobbyist Registration Administration Fund \$100,000
- 4 Registered Limited Liability Partnership Fund \$75,000
- 5 Securities Investors Education Fund \$500,000
- 6 Securities Audit and Enforcement Fund \$5,725,000
- 7 Department of Business Services
- 8 Special Operations Fund \$3,000,000
- 9 Corporate Franchise Tax Refund Fund \$3,000,000
- 10 State Parking Facility Maintenance Fund \$100,000

11 (e) Notwithstanding any other provision of State law to the
12 contrary, on or after July 1, 2009, and until June 30, 2010, in
13 addition to any other transfers that may be provided for by
14 law, at the direction of and upon notification of the Secretary
15 of State, the State Comptroller shall direct and the State
16 Treasurer shall transfer amounts into the Secretary of State
17 Identification Security and Theft Prevention Fund from the
18 designated funds not exceeding the following totals:

- 19 Lobbyist Registration Administration Fund \$100,000
- 20 Registered Limited Liability Partnership Fund \$175,000
- 21 Securities Investors Education Fund \$750,000
- 22 Securities Audit and Enforcement Fund \$750,000
- 23 Department of Business Services
- 24 Special Operations Fund \$3,000,000
- 25 Corporate Franchise Tax Refund Fund \$3,000,000
- 26 State Parking Facility Maintenance Fund \$100,000

1 (f) Notwithstanding any other provision of State law to the
 2 contrary, on or after July 1, 2010, and until June 30, 2011, in
 3 addition to any other transfers that may be provided for by
 4 law, at the direction of and upon notification of the Secretary
 5 of State, the State Comptroller shall direct and the State
 6 Treasurer shall transfer amounts into the Secretary of State
 7 Identification Security and Theft Prevention Fund from the
 8 designated funds not exceeding the following totals:

| | | | |
|----|--|--------------|--------------------|
| 9 | <u>Registered Limited Liability Partnership Fund</u> | <u>....</u> | <u>\$287,000</u> |
| 10 | <u>Securities Investors Education Board</u> | <u>.....</u> | <u>\$750,000</u> |
| 11 | <u>Securities Audit and Enforcement Fund</u> | <u>.....</u> | <u>\$750,000</u> |
| 12 | <u>Department of Business Services Special</u> | | |
| 13 | <u>Operations Fund</u> | <u>.....</u> | <u>\$3,000,000</u> |
| 14 | <u>Corporate Franchise Tax Refund Fund</u> | <u>.....</u> | <u>\$3,000,000</u> |

15 (Source: P.A. 95-707, eff. 1-11-08; 95-744, eff. 7-18-08;
 16 96-45, eff. 7-15-09.)

17 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

18 Sec. 8.3. Money in the Road Fund shall, if and when the
 19 State of Illinois incurs any bonded indebtedness for the
 20 construction of permanent highways, be set aside and used for
 21 the purpose of paying and discharging annually the principal
 22 and interest on that bonded indebtedness then due and payable,
 23 and for no other purpose. The surplus, if any, in the Road Fund
 24 after the payment of principal and interest on that bonded
 25 indebtedness then annually due shall be used as follows:

1 first -- to pay the cost of administration of Chapters
2 2 through 10 of the Illinois Vehicle Code, except the cost
3 of administration of Articles I and II of Chapter 3 of that
4 Code; and

5 secondly -- for expenses of the Department of
6 Transportation for construction, reconstruction,
7 improvement, repair, maintenance, operation, and
8 administration of highways in accordance with the
9 provisions of laws relating thereto, or for any purpose
10 related or incident to and connected therewith, including
11 the separation of grades of those highways with railroads
12 and with highways and including the payment of awards made
13 by the Illinois Workers' Compensation Commission under the
14 terms of the Workers' Compensation Act or Workers'
15 Occupational Diseases Act for injury or death of an
16 employee of the Division of Highways in the Department of
17 Transportation; or for the acquisition of land and the
18 erection of buildings for highway purposes, including the
19 acquisition of highway right-of-way or for investigations
20 to determine the reasonably anticipated future highway
21 needs; or for making of surveys, plans, specifications and
22 estimates for and in the construction and maintenance of
23 flight strips and of highways necessary to provide access
24 to military and naval reservations, to defense industries
25 and defense-industry sites, and to the sources of raw
26 materials and for replacing existing highways and highway

1 connections shut off from general public use at military
2 and naval reservations and defense-industry sites, or for
3 the purchase of right-of-way, except that the State shall
4 be reimbursed in full for any expense incurred in building
5 the flight strips; or for the operating and maintaining of
6 highway garages; or for patrolling and policing the public
7 highways and conserving the peace; or for the operating
8 expenses of the Department relating to the administration
9 of public transportation programs; or for any of those
10 purposes or any other purpose that may be provided by law.

11 Appropriations for any of those purposes are payable from
12 the Road Fund. Appropriations may also be made from the Road
13 Fund for the administrative expenses of any State agency that
14 are related to motor vehicles or arise from the use of motor
15 vehicles.

16 Beginning with fiscal year 1980 and thereafter, no Road
17 Fund monies shall be appropriated to the following Departments
18 or agencies of State government for administration, grants, or
19 operations; but this limitation is not a restriction upon
20 appropriating for those purposes any Road Fund monies that are
21 eligible for federal reimbursement;

22 1. Department of Public Health;

23 2. Department of Transportation, only with respect to
24 subsidies for one-half fare Student Transportation and
25 Reduced Fare for Elderly;

26 3. Department of Central Management Services, except

1 for expenditures incurred for group insurance premiums of
2 appropriate personnel;

3 4. Judicial Systems and Agencies.

4 Beginning with fiscal year 1981 and thereafter, no Road
5 Fund monies shall be appropriated to the following Departments
6 or agencies of State government for administration, grants, or
7 operations; but this limitation is not a restriction upon
8 appropriating for those purposes any Road Fund monies that are
9 eligible for federal reimbursement:

10 1. Department of State Police, except for expenditures
11 with respect to the Division of Operations;

12 2. Department of Transportation, only with respect to
13 Intercity Rail Subsidies and Rail Freight Services.

14 Beginning with fiscal year 1982 and thereafter, no Road
15 Fund monies shall be appropriated to the following Departments
16 or agencies of State government for administration, grants, or
17 operations; but this limitation is not a restriction upon
18 appropriating for those purposes any Road Fund monies that are
19 eligible for federal reimbursement: Department of Central
20 Management Services, except for awards made by the Illinois
21 Workers' Compensation Commission under the terms of the
22 Workers' Compensation Act or Workers' Occupational Diseases
23 Act for injury or death of an employee of the Division of
24 Highways in the Department of Transportation.

25 Beginning with fiscal year 1984 and thereafter, no Road
26 Fund monies shall be appropriated to the following Departments

1 or agencies of State government for administration, grants, or
2 operations; but this limitation is not a restriction upon
3 appropriating for those purposes any Road Fund monies that are
4 eligible for federal reimbursement:

5 1. Department of State Police, except not more than 40%
6 of the funds appropriated for the Division of Operations;

7 2. State Officers.

8 Beginning with fiscal year 1984 and thereafter, no Road
9 Fund monies shall be appropriated to any Department or agency
10 of State government for administration, grants, or operations
11 except as provided hereafter; but this limitation is not a
12 restriction upon appropriating for those purposes any Road Fund
13 monies that are eligible for federal reimbursement. It shall
14 not be lawful to circumvent the above appropriation limitations
15 by governmental reorganization or other methods.
16 Appropriations shall be made from the Road Fund only in
17 accordance with the provisions of this Section.

18 Money in the Road Fund shall, if and when the State of
19 Illinois incurs any bonded indebtedness for the construction of
20 permanent highways, be set aside and used for the purpose of
21 paying and discharging during each fiscal year the principal
22 and interest on that bonded indebtedness as it becomes due and
23 payable as provided in the Transportation Bond Act, and for no
24 other purpose. The surplus, if any, in the Road Fund after the
25 payment of principal and interest on that bonded indebtedness
26 then annually due shall be used as follows:

1 first -- to pay the cost of administration of Chapters
2 2 through 10 of the Illinois Vehicle Code; and

3 secondly -- no Road Fund monies derived from fees,
4 excises, or license taxes relating to registration,
5 operation and use of vehicles on public highways or to
6 fuels used for the propulsion of those vehicles, shall be
7 appropriated or expended other than for costs of
8 administering the laws imposing those fees, excises, and
9 license taxes, statutory refunds and adjustments allowed
10 thereunder, administrative costs of the Department of
11 Transportation, including, but not limited to, the
12 operating expenses of the Department relating to the
13 administration of public transportation programs, payment
14 of debts and liabilities incurred in construction and
15 reconstruction of public highways and bridges, acquisition
16 of rights-of-way for and the cost of construction,
17 reconstruction, maintenance, repair, and operation of
18 public highways and bridges under the direction and
19 supervision of the State, political subdivision, or
20 municipality collecting those monies, and the costs for
21 patrolling and policing the public highways (by State,
22 political subdivision, or municipality collecting that
23 money) for enforcement of traffic laws. The separation of
24 grades of such highways with railroads and costs associated
25 with protection of at-grade highway and railroad crossing
26 shall also be permissible.

1 Appropriations for any of such purposes are payable from
2 the Road Fund or the Grade Crossing Protection Fund as provided
3 in Section 8 of the Motor Fuel Tax Law.

4 Except as provided in this paragraph, beginning with fiscal
5 year 1991 and thereafter, no Road Fund monies shall be
6 appropriated to the Department of State Police for the purposes
7 of this Section in excess of its total fiscal year 1990 Road
8 Fund appropriations for those purposes unless otherwise
9 provided in Section 5g of this Act. For fiscal years 2003,
10 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be
11 appropriated to the Department of State Police for the purposes
12 of this Section in excess of \$97,310,000. For fiscal year 2008
13 only, no Road Fund monies shall be appropriated to the
14 Department of State Police for the purposes of this Section in
15 excess of \$106,100,000. For fiscal year 2009 only, no Road Fund
16 monies shall be appropriated to the Department of State Police
17 for the purposes of this Section in excess of \$114,700,000.
18 Beginning in fiscal year 2010, no road fund moneys shall be
19 appropriated to the Department of State Police. It shall not be
20 lawful to circumvent this limitation on appropriations by
21 governmental reorganization or other methods unless otherwise
22 provided in Section 5g of this Act.

23 In fiscal year 1994, no Road Fund monies shall be
24 appropriated to the Secretary of State for the purposes of this
25 Section in excess of the total fiscal year 1991 Road Fund
26 appropriations to the Secretary of State for those purposes,

1 plus \$9,800,000. It shall not be lawful to circumvent this
2 limitation on appropriations by governmental reorganization or
3 other method.

4 Beginning with fiscal year 1995 and thereafter, no Road
5 Fund monies shall be appropriated to the Secretary of State for
6 the purposes of this Section in excess of the total fiscal year
7 1994 Road Fund appropriations to the Secretary of State for
8 those purposes. It shall not be lawful to circumvent this
9 limitation on appropriations by governmental reorganization or
10 other methods.

11 Beginning with fiscal year 2000, total Road Fund
12 appropriations to the Secretary of State for the purposes of
13 this Section shall not exceed the amounts specified for the
14 following fiscal years:

| | | |
|----|------------------|----------------|
| 15 | Fiscal Year 2000 | \$80,500,000; |
| 16 | Fiscal Year 2001 | \$80,500,000; |
| 17 | Fiscal Year 2002 | \$80,500,000; |
| 18 | Fiscal Year 2003 | \$130,500,000; |
| 19 | Fiscal Year 2004 | \$130,500,000; |
| 20 | Fiscal Year 2005 | \$130,500,000; |
| 21 | Fiscal Year 2006 | \$130,500,000; |
| 22 | Fiscal Year 2007 | \$130,500,000; |
| 23 | Fiscal Year 2008 | \$130,500,000; |
| 24 | Fiscal Year 2009 | \$130,500,000. |

25 ~~For Beginning in~~ fiscal year 2010, no road fund moneys
26 shall be appropriated to the Secretary of State.

1 Beginning in fiscal year 2011, moneys in the Road Fund
2 shall be appropriated to the Secretary of State for the
3 exclusive purpose of paying refunds due to overpayment of fees
4 related to Chapter 3 of the Illinois Vehicle Code unless
5 otherwise provided for by law.

6 It shall not be lawful to circumvent this limitation on
7 appropriations by governmental reorganization or other
8 methods.

9 No new program may be initiated in fiscal year 1991 and
10 thereafter that is not consistent with the limitations imposed
11 by this Section for fiscal year 1984 and thereafter, insofar as
12 appropriation of Road Fund monies is concerned.

13 Nothing in this Section prohibits transfers from the Road
14 Fund to the State Construction Account Fund under Section 5e of
15 this Act; nor to the General Revenue Fund, as authorized by
16 this amendatory Act of the 93rd General Assembly.

17 The additional amounts authorized for expenditure in this
18 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91
19 shall be repaid to the Road Fund from the General Revenue Fund
20 in the next succeeding fiscal year that the General Revenue
21 Fund has a positive budgetary balance, as determined by
22 generally accepted accounting principles applicable to
23 government.

24 The additional amounts authorized for expenditure by the
25 Secretary of State and the Department of State Police in this
26 Section by this amendatory Act of the 94th General Assembly

1 shall be repaid to the Road Fund from the General Revenue Fund
2 in the next succeeding fiscal year that the General Revenue
3 Fund has a positive budgetary balance, as determined by
4 generally accepted accounting principles applicable to
5 government.

6 (Source: P.A. 95-707, eff. 1-11-08; 95-744, eff. 7-18-08;
7 96-34, eff. 7-13-09.)

8 (30 ILCS 105/8.8) (from Ch. 127, par. 144.8)

9 Sec. 8.8. Appropriations for the improvement, development,
10 addition or expansion of services for the care, treatment, and
11 training of persons who are mentally retarded or subject to
12 involuntary admission under the Mental Health and
13 Developmental Disabilities Code or for the financing of any
14 program designed to provide such improvement, development,
15 addition or expansion of services or for expenses incurred in
16 administering the provisions of Sections 5-105 to 5-115,
17 inclusive, of the Mental Health and Developmental Disabilities
18 Code, or other ordinary and contingent expenses of the
19 Department of Human Services relating to mental health and
20 developmental disabilities, are payable from the Mental Health
21 Fund. However, no expenditures shall be made for the purchase,
22 construction, lease, or rental of buildings for use as
23 State-operated mental health or developmental disability
24 facilities ~~or for renovating or rehabilitating those~~
25 ~~buildings.~~

1 (Source: P.A. 89-507, eff. 7-1-97.)

2 (30 ILCS 105/8g)

3 Sec. 8g. Fund transfers.

4 (a) 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, the
7 State Comptroller shall direct and the State Treasurer shall
8 transfer the sum of \$10,000,000 from the General Revenue Fund
9 to the Motor Vehicle License Plate Fund created by Senate Bill
10 1028 of the 91st General Assembly.

11 (b) 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, the
14 State Comptroller shall direct and the State Treasurer shall
15 transfer the sum of \$25,000,000 from the General Revenue Fund
16 to the Fund for Illinois' Future created by Senate Bill 1066 of
17 the 91st General Assembly.

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

25 (d) The payments to programs required under subsection (d)

1 of Section 28.1 of the Horse Racing Act of 1975 shall be made,
2 pursuant to appropriation, from the special funds referred to
3 in the statutes cited in that subsection, rather than directly
4 from the General Revenue Fund.

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

20 (e) In addition to any other transfers that may be provided
21 for by law, as soon as may be practical after the effective
22 date of this amendatory Act of the 91st General Assembly, but
23 in no event later than June 30, 2000, the State Comptroller
24 shall direct and the State Treasurer shall transfer the sum of
25 \$15,000,000 from the General Revenue Fund to the Fund for
26 Illinois' Future.

1 (f) In addition to any other transfers that may be provided
2 for by law, as soon as may be practical after the effective
3 date of this amendatory Act of the 91st General Assembly, but
4 in no event later than June 30, 2000, the State Comptroller
5 shall direct and the State Treasurer shall transfer the sum of
6 \$70,000,000 from the General Revenue Fund to the Long-Term Care
7 Provider Fund.

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

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

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

24 (i) On or after July 1, 2001 and until May 1, 2002, in
25 addition to any other transfers that may be provided for by
26 law, at the direction of and upon notification from the

1 Governor, the State Comptroller shall direct and the State
 2 Treasurer shall transfer amounts not exceeding a total of
 3 \$80,000,000 from the General Revenue Fund to the Tobacco
 4 Settlement Recovery Fund. Any amounts so transferred shall be
 5 re-transferred by the State Comptroller and the State Treasurer
 6 from the Tobacco Settlement Recovery Fund to the General
 7 Revenue Fund at the direction of and upon notification from the
 8 Governor, but in any event on or before June 30, 2002.

9 (i-1) On or after July 1, 2002 and until May 1, 2003, in
 10 addition to any other transfers that may be provided for by
 11 law, 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 re-transferred 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, 2003.

20 (j) On or after July 1, 2001 and no later than June 30,
 21 2002, in addition to any other transfers that may be provided
 22 for by 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 to exceed the following
 25 sums into the Statistical Services Revolving Fund:

26 From the General Revenue Fund \$8,450,000

| | | |
|----|---|-----------|
| 1 | From the Public Utility Fund | 1,700,000 |
| 2 | From the Transportation Regulatory Fund | 2,650,000 |
| 3 | From the Title III Social Security and | |
| 4 | Employment Fund | 3,700,000 |
| 5 | From the Professions Indirect Cost Fund | 4,050,000 |
| 6 | From the Underground Storage Tank Fund | 550,000 |
| 7 | From the Agricultural Premium Fund | 750,000 |
| 8 | From the State Pensions Fund | 200,000 |
| 9 | From the Road Fund | 2,000,000 |
| 10 | From the Health Facilities | |
| 11 | Planning Fund | 1,000,000 |
| 12 | From the Savings and Residential Finance | |
| 13 | Regulatory Fund | 130,800 |
| 14 | From the Appraisal Administration Fund | 28,600 |
| 15 | From the Pawnbroker Regulation Fund | 3,600 |
| 16 | From the Auction Regulation | |
| 17 | Administration Fund | 35,800 |
| 18 | From the Bank and Trust Company Fund..... | 634,800 |
| 19 | From the Real Estate License | |
| 20 | Administration Fund | 313,600 |

21 (k) 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 92nd General Assembly, the
 24 State Comptroller shall direct and the State Treasurer shall
 25 transfer the sum of \$2,000,000 from the General Revenue Fund to
 26 the Teachers Health Insurance Security Fund.

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

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

13 (k-3) On or after July 1, 2002 and no later than June 30,
 14 2003, in addition to any other transfers that may be provided
 15 for by 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 to exceed the following
 18 sums into the Statistical Services Revolving Fund:

| | | |
|----|--------------------------------------|------------|
| 19 | Appraisal Administration Fund | \$150,000 |
| 20 | General Revenue Fund | 10,440,000 |
| 21 | Savings and Residential Finance | |
| 22 | Regulatory Fund | 200,000 |
| 23 | State Pensions Fund | 100,000 |
| 24 | Bank and Trust Company Fund | 100,000 |
| 25 | Professions Indirect Cost Fund | 3,400,000 |
| 26 | Public Utility Fund | 2,081,200 |

| | | |
|---|---|-----------|
| 1 | Real Estate License Administration Fund | 150,000 |
| 2 | Title III Social Security and | |
| 3 | Employment Fund | 1,000,000 |
| 4 | Transportation Regulatory Fund | 3,052,100 |
| 5 | Underground Storage Tank Fund | 50,000 |

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

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

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

24 (o) On or after July 1, 2003, and no later than June 30,
25 2004, in addition to any other transfers that may be provided
26 for by law, at the direction of and upon notification from the

1 Governor, the State Comptroller shall direct and the State
2 Treasurer shall transfer amounts not to exceed the following
3 sums into the Vehicle Inspection Fund:

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

5 (p) On or after July 1, 2003 and until May 1, 2004, in
6 addition to any other transfers that may be provided for by
7 law, at the direction of and upon notification from the
8 Governor, the State Comptroller shall direct and the State
9 Treasurer shall transfer amounts not exceeding a total of
10 \$80,000,000 from the General Revenue Fund to the Tobacco
11 Settlement Recovery Fund. Any amounts so transferred shall be
12 re-transferred from the Tobacco Settlement Recovery Fund to the
13 General Revenue Fund at the direction of and upon notification
14 from the Governor, but in any event on or before June 30, 2004.

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

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

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

1 for by law, on or after July 1, 2003, the State Comptroller
2 shall direct and the State Treasurer shall transfer the sum of
3 \$4,800,000 from the Statewide Economic Development Fund to the
4 General Revenue Fund.

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

10 (u) On or after July 1, 2004 and until May 1, 2005, in
11 addition to any other transfers that may be provided for by
12 law, 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, 2005.

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

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

1 for by law, on July 1, 2004, or as soon thereafter as may be
2 practical, the State Comptroller shall direct and the State
3 Treasurer shall transfer the sum of \$6,445,000 from the General
4 Revenue Fund to the Presidential Library and Museum Operating
5 Fund.

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

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

12 From the State Police Wireless Service Emergency Fund,
13 \$200,000;

14 From the State Offender DNA Identification System
15 Fund, \$800,000; and

16 From the State Police Whistleblower Reward and
17 Protection Fund, \$500,000.

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

26 (1) the Keep Illinois Beautiful Fund;

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

3 (3) the New Technology Recovery Fund;

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

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

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

7 (7) the State Postsecondary Review Program Fund;

8 (8) the Tourism Attraction Development Matching Grant
9 Fund;

10 (9) the Patent and Copyright Fund;

11 (10) the Credit Enhancement Development Fund;

12 (11) the Community Mental Health and Developmental
13 Disabilities Services Provider Participation Fee Trust
14 Fund;

15 (12) the Nursing Home Grant Assistance Fund;

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

17 (14) the Illinois Student Assistance Commission Higher
18 EdNet Fund;

19 (15) the DORS State Project Fund;

20 (16) the School Technology Revolving Fund;

21 (17) the Energy Assistance Contribution Fund;

22 (18) the Illinois Building Commission Revolving Fund;

23 (19) the Illinois Aquaculture Development Fund;

24 (20) the Homelessness Prevention Fund;

25 (21) the DCFS Refugee Assistance Fund;

26 (22) the Illinois Century Network Special Purposes

1 Fund; and

2 (23) the Build Illinois Purposes Fund.

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

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

14 (bb) In addition to any other transfers that may be
15 provided for by law, on July 1, 2005, or as soon as may be
16 practical thereafter, the State Comptroller shall direct and
17 the State Treasurer shall transfer the sum of \$6,803,600 from
18 the General Revenue Fund to the Securities Audit and
19 Enforcement Fund.

20 (cc) In addition to any other transfers that may be
21 provided for by law, on or after July 1, 2005 and until May 1,
22 2006, 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 re-transferred 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, 2006.

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

12 (ee) Notwithstanding any other provision of law, on July 1,
13 2006, or as soon thereafter as practical, the State Comptroller
14 shall direct and the State Treasurer shall transfer the
15 remaining balance from the Illinois Civic Center Bond Fund to
16 the Illinois Civic Center Bond Retirement and Interest Fund.

17 (ff) In addition to any other transfers that may be
18 provided for by law, on and after July 1, 2006 and until June
19 30, 2007, at the direction of and upon notification from the
20 Director of the Governor's Office of Management and Budget, the
21 State Comptroller shall direct and the State Treasurer shall
22 transfer amounts not exceeding a total of \$1,900,000 from the
23 General Revenue Fund to the Illinois Capital Revolving Loan
24 Fund.

25 (gg) In addition to any other transfers that may be
26 provided for by law, on and after July 1, 2006 and until May 1,

1 2007, at the direction of and upon notification from the
 2 Governor, the State Comptroller shall direct and the State
 3 Treasurer shall transfer amounts not exceeding a total of
 4 \$80,000,000 from the General Revenue Fund to the Tobacco
 5 Settlement Recovery Fund. Any amounts so transferred shall be
 6 retransferred by the State Comptroller and the State Treasurer
 7 from the Tobacco Settlement Recovery Fund to the General
 8 Revenue Fund at the direction of and upon notification from the
 9 Governor, but in any event on or before June 30, 2007.

10 (hh) In addition to any other transfers that may be
 11 provided for by law, on and after July 1, 2006 and until June
 12 30, 2007, at the direction of and upon notification from the
 13 Governor, the State Comptroller shall direct and the State
 14 Treasurer shall transfer amounts from the Illinois Affordable
 15 Housing Trust Fund to the designated funds not exceeding the
 16 following amounts:

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

22 (ii) In addition to any other transfers that may be
 23 provided for by law, on or before August 31, 2006, the Governor
 24 and the State Comptroller may agree to transfer the surplus
 25 cash balance from the General Revenue Fund to the Budget
 26 Stabilization Fund and the Pension Stabilization Fund in equal

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

8 (jj) 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 \$8,250,000 from the General
12 Revenue Fund to the Presidential Library and Museum Operating
13 Fund.

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

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

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

1 provided for by law, on July 1, 2006, or as soon thereafter as
2 practical, the State Comptroller shall direct and the State
3 Treasurer shall transfer the sum of \$1,320,000 from the General
4 Revenue Fund to the I-FLY Fund.

5 (nn) 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 \$3,000,000 from the General
9 Revenue Fund to the African-American HIV/AIDS Response Fund.

10 (oo) In addition to any other transfers that may be
11 provided for by law, on and after July 1, 2006 and until June
12 30, 2007, at the direction of and upon notification from the
13 Governor, the State Comptroller shall direct and the State
14 Treasurer shall transfer amounts identified as net receipts
15 from the sale of all or part of the Illinois Student Assistance
16 Commission loan portfolio from the Student Loan Operating Fund
17 to the General Revenue Fund. The maximum amount that may be
18 transferred pursuant to this Section is \$38,800,000. In
19 addition, no transfer may be made pursuant to this Section that
20 would have the effect of reducing the available balance in the
21 Student Loan Operating Fund to an amount less than the amount
22 remaining unexpended and unreserved from the total
23 appropriations from the Fund estimated to be expended for the
24 fiscal year. The State Treasurer and Comptroller shall transfer
25 the amounts designated under this Section as soon as may be
26 practical after receiving the direction to transfer from the

1 Governor.

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

7 (qq) In addition to any other transfers that may be
8 provided for by law, on and after July 1, 2007 and until May 1,
9 2008, at the direction of and upon notification from the
10 Governor, the State Comptroller shall direct and the State
11 Treasurer shall transfer amounts not exceeding a total of
12 \$80,000,000 from the General Revenue Fund to the Tobacco
13 Settlement Recovery Fund. Any amounts so transferred shall be
14 retransferred by the State Comptroller and the State Treasurer
15 from the Tobacco Settlement Recovery Fund to the General
16 Revenue Fund at the direction of and upon notification from the
17 Governor, but in any event on or before June 30, 2008.

18 (rr) In addition to any other transfers that may be
19 provided for by law, on and after July 1, 2007 and until June
20 30, 2008, at the direction of and upon notification from the
21 Governor, the State Comptroller shall direct and the State
22 Treasurer shall transfer amounts from the Illinois Affordable
23 Housing Trust Fund to the designated funds not exceeding the
24 following amounts:

25 DCFS Children's Services Fund \$2,200,000
26 Department of Corrections Reimbursement

1 and Education Fund \$1,500,000
 2 Supplemental Low-Income Energy
 3 Assistance Fund..... \$75,000

4 (ss) 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 \$8,250,000 from the General
 8 Revenue Fund to the Presidential Library and Museum Operating
 9 Fund.

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

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

20 (vv) 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 \$3,000,000 from the General
 24 Revenue Fund to the African-American HIV/AIDS Response Fund.

25 (wv) 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 \$3,500,000 from the General
3 Revenue Fund to the Predatory Lending Database Program Fund.

4 (xx) 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 \$5,000,000 from the General
8 Revenue Fund to the Digital Divide Elimination Fund.

9 (yy) 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 \$4,000,000 from the General
13 Revenue Fund to the Digital Divide Elimination Infrastructure
14 Fund.

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

20 (aaa) In addition to any other transfers that may be
21 provided for by law, on and after July 1, 2008 and until May 1,
22 2009, 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, 2009.

5 (bbb) In addition to any other transfers that may be
 6 provided for by law, on and after July 1, 2008 and until June
 7 30, 2009, at the direction of and upon notification from the
 8 Governor, the State Comptroller shall direct and the State
 9 Treasurer shall transfer amounts from the Illinois Affordable
 10 Housing Trust Fund to the designated funds not exceeding the
 11 following amounts:

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

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

23 (ddd) In addition to any other transfers that may be
 24 provided for by law, on July 1, 2008, or as soon thereafter as
 25 practical, the State Comptroller shall direct and the State
 26 Treasurer shall transfer the sum of \$1,400,000 from the General

1 Revenue Fund to the Violence Prevention Fund.

2 (eee) 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 \$5,000,000 from the General
6 Revenue Fund to the Digital Divide Elimination Fund.

7 (fff) In addition to any other transfers that may be
8 provided for by law, on and after July 1, 2009 and until May 1,
9 2010, at the direction of and upon notification from the
10 Governor, the State Comptroller shall direct and the State
11 Treasurer shall transfer amounts not exceeding a total of
12 \$80,000,000 from the General Revenue Fund to the Tobacco
13 Settlement Recovery Fund. Any amounts so transferred shall be
14 retransferred by the State Comptroller and the State Treasurer
15 from the Tobacco Settlement Recovery Fund to the General
16 Revenue Fund at the direction of and upon notification from the
17 Governor, but in any event on or before June 30, 2010.

18 (ggg) 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 \$7,450,000 from the General
22 Revenue Fund to the Presidential Library and Museum Operating
23 Fund.

24 (hhh) In addition to any other transfers that may be
25 provided for by law, on July 1, 2009, 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 (iii) 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 \$100,000 from the General
7 Revenue Fund to the Heartsaver AED Fund.

8 (jjj) In addition to any other transfers that may be
9 provided for by law, on and after July 1, 2009 and until June
10 30, 2010, 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 \$17,000,000 from the General Revenue Fund to the DCFS
14 Children's Services Fund.

15 (lll) In addition to any other transfers that may be
16 provided for 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 \$5,000,000 from the General
19 Revenue Fund to the Communications Revolving Fund.

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

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

1 provided for by law, on July 1, 2009, or as soon thereafter as
2 practical, the State Comptroller shall direct and the State
3 Treasurer shall transfer the sum of \$565,000 from the FY09
4 Budget Relief Fund to the Horse Racing Fund.

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

11 (ppp) In addition to any other transfers that may be
12 provided for by law, on July 1, 2010, or as soon thereafter as
13 practical, the State Comptroller shall direct and the State
14 Treasurer shall transfer the sum of \$5,000,000 from the General
15 Revenue Fund to the Digital Divide Elimination Fund.

16 (qqq) In addition to any other transfers that may be
17 provided for by law, on and after July 1, 2010 and until May 1,
18 2011, 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 exceeding a total of
21 \$80,000,000 from the General Revenue Fund to the Tobacco
22 Settlement Recovery Fund. Any amounts so transferred shall be
23 retransferred by the State Comptroller and the State Treasurer
24 from the Tobacco Settlement Recovery Fund to the General
25 Revenue Fund at the direction of and upon notification from the
26 Governor, but in any event on or before June 30, 2011.

1 (rrr) In addition to any other transfers that may be
2 provided for by law, on July 1, 2010, or as soon thereafter as
3 practical, the State Comptroller shall direct and the State
4 Treasurer shall transfer the sum of \$6,675,000 from the General
5 Revenue Fund to the Presidential Library and Museum Operating
6 Fund.

7 (sss) In addition to any other transfers that may be
8 provided for by law, on July 1, 2010, 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 (ttt) In addition to any other transfers that may be
13 provided for by law, on July 1, 2010, or as soon thereafter as
14 practical, the State Comptroller shall direct and the State
15 Treasurer shall transfer the sum of \$100,000 from the General
16 Revenue Fund to the Heartsaver AED Fund.

17 (uuu) In addition to any other transfers that may be
18 provided for by law, on July 1, 2010, or as soon thereafter as
19 practical, the State Comptroller shall direct and the State
20 Treasurer shall transfer the sum of \$5,000,000 from the General
21 Revenue Fund to the Communications Revolving Fund.

22 (vvv) In addition to any other transfers that may be
23 provided for by law, on July 1, 2010, or as soon thereafter as
24 practical, the State Comptroller shall direct and the State
25 Treasurer shall transfer the sum of \$3,000,000 from the General
26 Revenue Fund to the Illinois Capital Revolving Loan Fund.

1 (www) In addition to any other transfers that may be
2 provided for by law, on July 1, 2010, or as soon thereafter as
3 practical, the State Comptroller shall direct and the State
4 Treasurer shall transfer the sum of \$17,000,000 from the
5 General Revenue Fund to the DCFS Children's Services Fund.

6 (xxx) In addition to any other transfers that may be
7 provided for by law, on July 1, 2010, or as soon thereafter as
8 practical, the State Comptroller shall direct and the State
9 Treasurer shall transfer the sum of \$2,000,000 from the Digital
10 Divide Elimination Infrastructure Fund, of which \$1,000,000
11 shall go to the Workforce, Technology, and Economic Development
12 Fund and \$1,000,000 to the Public Utility Fund.

13 (Source: P.A. 95-331, eff. 8-21-07; 95-707, eff. 1-11-08;
14 95-744, eff. 7-18-08; 96-45, eff. 7-15-09; 96-820, eff.
15 11-18-09.)

16 (30 ILCS 105/80)

17 Sec. 80. Transfer to the University of Illinois Income
18 Fund.

19 (a) Immediately upon the effective date of this Section,
20 the State Comptroller shall direct and the State Treasurer
21 shall transfer \$15,826,499 from the General Revenue Fund to the
22 University of Illinois Income Fund.

23 (b) In addition to any other transfers that may be provided
24 for by law, on the first day of each calendar quarter of the
25 fiscal year beginning July 1, 2009, or as soon as may be

1 practical thereafter, the State Comptroller shall direct and
2 the State Treasurer shall transfer an amount equal to
3 one-fourth of \$15,826,499 from the General Revenue Fund to the
4 University of Illinois Income Fund.

5 (c) In addition to any other transfers that may be provided
6 for by law, on the first day of each calendar quarter of the
7 fiscal year beginning July 1, 2010, or as soon as may be
8 practical thereafter, the State Comptroller shall direct and
9 the State Treasurer shall transfer an amount equal to one
10 fourth of \$15,826,499 from the General Revenue Fund to the
11 University of Illinois Income Fund.

12 (Source: P.A. 95-728, eff. 7-1-08; 96-45, eff. 7-15-09.)

13 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

14 Sec. 13.2. Transfers among line item appropriations.

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

21 (a-1) No transfers may be made from one agency to another
22 agency, nor may transfers be made from one institution of
23 higher education to another institution of higher education.

24 (a-2) Except as otherwise provided in this Section,
25 transfers may be made only among the objects of expenditure

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

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

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

17 (b) In addition to the general transfer authority provided
18 under subsection (c), the following agencies have the specific
19 transfer authority granted in this subsection:

20 The Department of Healthcare and Family Services is
21 authorized to make transfers representing savings attributable
22 to not increasing grants due to the births of additional
23 children from line items for payments of cash grants to line
24 items for payments for employment and social services for the
25 purposes outlined in subsection (f) of Section 4-2 of the
26 Illinois Public Aid Code.

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

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

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

22 The State Board of Education is authorized to make
23 transfers from line item appropriations within the same
24 treasury fund for General State Aid and General State Aid -
25 Hold Harmless, provided that no such transfer may be made
26 unless the amount transferred is no longer required for the

1 purpose for which that appropriation was made, to the line item
2 appropriation for Transitional Assistance when the balance
3 remaining in such line item appropriation is insufficient for
4 the purpose for which the appropriation was made.

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

22 During State fiscal years ~~year~~ 2010 and 2011 only, the
23 Department of Healthcare and Family Services is authorized to
24 make transfers not exceeding 4% of the aggregate amount
25 appropriated to it, within the same treasury fund, among the
26 various line items appropriated for Medical Assistance.

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

22 (c-1) Special provisions for State fiscal year 2003.
23 Notwithstanding any other provision of this Section to the
24 contrary, for State fiscal year 2003 only, transfers among line
25 item appropriations to an agency from the same treasury fund
26 may be made provided that the sum of such transfers for an

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

17 (c-2) Special provisions for State fiscal year 2005.
18 Notwithstanding subsections (a), (a-2), and (c), for State
19 fiscal year 2005 only, transfers may be made among any line
20 item appropriations from the same or any other treasury fund
21 for any objects or purposes, without limitation, when the
22 balance remaining in one or more such line item appropriations
23 is insufficient for the purpose for which the appropriation was
24 made, provided that the sum of those transfers by a State
25 agency shall not exceed 4% of the aggregate amount appropriated
26 to that State agency for fiscal year 2005.

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

15 The officer responsible for approval shall certify that the
16 transfer is necessary to carry out the programs and purposes
17 for which the appropriations were made by the General Assembly
18 and shall transmit to the State Comptroller a certified copy of
19 the approval which shall set forth the specific amounts
20 transferred so that the Comptroller may change his records
21 accordingly. The Comptroller shall furnish the Governor with
22 information copies of all transfers approved for agencies of
23 the Legislative and Judicial departments and transfers
24 approved by the constitutionally elected officials of the
25 Executive branch other than the Governor, showing the amounts
26 transferred and indicating the dates such changes were entered

1 on the Comptroller's records.

2 (e) The State Board of Education, in consultation with the
3 State Comptroller, may transfer line item appropriations for
4 General State Aid between ~~from~~ the Common School Fund and ~~to~~
5 the Education Assistance Fund. With the advice and consent of
6 the Governor's Office of Management and Budget, the State Board
7 of Education, in consultation with the State Comptroller, may
8 transfer line item appropriations between the General Revenue
9 Fund and the Education Assistance Fund for the following
10 programs:

11 (1) Disabled Student Personnel Reimbursement (Section
12 14-13.01 of the School Code);

13 (2) Disabled Student Transportation Reimbursement
14 (subsection (b) of Section 14-13.01 of the School Code);

15 (3) Disabled Student Tuition - Private Tuition
16 (Section 14-7.02 of the School Code);

17 (4) Extraordinary Special Education (Section 14-7.02b
18 of the School Code);

19 (5) Reimbursement for Free Lunch/Breakfast Programs;

20 (6) Summer School Payments (Section 18-4.3 of the
21 School Code);

22 (7) Transportation - Regular/Vocational Reimbursement
23 (Section 29-5 of the School Code);

24 (8) Regular Education Reimbursement (Section 18-3 of
25 the School Code); and

26 (9) Special Education Reimbursement (Section 14-7.03

1 of the School Code).

2 (Source: P.A. 95-707, eff. 1-11-08; 96-37, eff. 7-13-09;
3 96-820, eff. 11-18-09.)

4 Section 5-32. The State Prompt Payment Act is amended by
5 changing Section 3-2 and by adding Section 3-2.1 as follows:

6 (30 ILCS 540/3-2)

7 Sec. 3-2. Beginning July 1, 1993, in any instance where a
8 State official or agency is late in payment of a vendor's bill
9 or invoice for goods or services furnished to the State, as
10 defined in Section 1, properly approved in accordance with
11 rules promulgated under Section 3-3, the State official or
12 agency shall pay interest to the vendor in accordance with the
13 following:

14 (1) Any bill, except a bill submitted under Article V
15 of the Illinois Public Aid Code, approved for payment under
16 this Section must be paid or the payment issued to the
17 payee within 60 days of receipt of a proper bill or
18 invoice. If payment is not issued to the payee within this
19 60 day period, an interest penalty of 1.0% of any amount
20 approved and unpaid shall be added for each month or
21 fraction thereof after the end of this 60 day period, until
22 final payment is made. Any bill submitted under Article V
23 of the Illinois Public Aid Code approved for payment under
24 this Section must be paid or the payment issued to the

1 payee within 60 days after receipt of a proper bill or
2 invoice, and, if payment is not issued to the payee within
3 this 60-day period, an interest penalty of 2.0% of any
4 amount approved and unpaid shall be added for each month or
5 fraction thereof after the end of this 60-day period, until
6 final payment is made.

7 (1.1) A State agency shall review in a timely manner
8 each bill or invoice after its receipt. If the State agency
9 determines that the bill or invoice contains a defect
10 making it unable to process the payment request, the agency
11 shall notify the vendor requesting payment as soon as
12 possible after discovering the defect pursuant to rules
13 promulgated under Section 3-3; provided, however, that the
14 notice for construction related bills or invoices must be
15 given not later than 30 days after the bill or invoice was
16 first submitted. The notice shall identify the defect and
17 any additional information necessary to correct the
18 defect. If one or more items on a construction related bill
19 or invoice are disapproved, but not the entire bill or
20 invoice, then the portion that is not disapproved shall be
21 paid.

22 (2) Where a State official or agency is late in payment
23 of a vendor's bill or invoice properly approved in
24 accordance with this Act, and different late payment terms
25 are not reduced to writing as a contractual agreement, the
26 State official or agency shall automatically pay interest

1 penalties required by this Section amounting to \$50 or more
2 to the appropriate vendor. Each agency shall be responsible
3 for determining whether an interest penalty is owed and for
4 paying the interest to the vendor. Interest due to a vendor
5 that amounts to less than \$50 shall not be paid but shall
6 be accrued until all interest due the vendor for all
7 similar warrants exceeds \$50, at which time the accrued
8 interest shall be payable and interest will begin accruing
9 again, except that interest accrued as of the end of the
10 fiscal year that does not exceed \$50 shall be payable at
11 that time. In the event an individual has paid a vendor for
12 services in advance, the provisions of this Section shall
13 apply until payment is made to that individual.

14 (Source: P.A. 96-555, eff. 8-18-09; 96-802, eff. 1-1-10;
15 revised 11-25-09.)

16 (30 ILCS 540/3-2.1 new)

17 Sec. 3-2.1. Interest penalty report. The State
18 Comptroller, in conjunction with the Department of Central
19 Management Services, shall submit a report to the General
20 Assembly no later than January 31, 2011. The report shall
21 include the following information, which shall be broken down
22 by State agency and vendor:

23 (1) the number and total dollar amount of interest
24 penalty payment vouchers submitted to the Comptroller's
25 office on or after August 18, 2009 and before January 1,

1 2011 for interest payments of less than \$5;

2 (2) the number and total dollar amount of interest
3 penalty payment vouchers submitted to the Comptroller's
4 office on or after August 18, 2009 and before January 1,
5 2011 for interest payments of at least \$5 but less than
6 \$50; the report shall indicate the number and total dollar
7 amount of (i) those paid automatically and (ii) those
8 initiated by written request of the vendor; and

9 (3) the aggregate cost of processing the interest
10 penalty payment vouchers referenced in items (1) and (2).

11 The report shall also include recommendations regarding
12 establishing a minimum threshold for payment of interest
13 penalties to vendors and increased efficiencies, including,
14 but not limited to, consolidation of multiple payments to the
15 same vendor.

16 Section 5-35. The Illinois Income Tax Act is amended by
17 changing Section 901 as follows:

18 (35 ILCS 5/901) (from Ch. 120, par. 9-901)

19 Sec. 901. Collection Authority.

20 (a) In general.

21 The Department shall collect the taxes imposed by this Act.
22 The Department shall collect certified past due child support
23 amounts under Section 2505-650 of the Department of Revenue Law
24 (20 ILCS 2505/2505-650). Except as provided in subsections (c)

1 and (e) of this Section, money collected pursuant to
2 subsections (a) and (b) of Section 201 of this Act shall be
3 paid into the General Revenue Fund in the State treasury; money
4 collected pursuant to subsections (c) and (d) of Section 201 of
5 this Act shall be paid into the Personal Property Tax
6 Replacement Fund, a special fund in the State Treasury; and
7 money collected under Section 2505-650 of the Department of
8 Revenue Law (20 ILCS 2505/2505-650) shall be paid into the
9 Child Support Enforcement Trust Fund, a special fund outside
10 the State Treasury, or to the State Disbursement Unit
11 established under Section 10-26 of the Illinois Public Aid
12 Code, as directed by the Department of Healthcare and Family
13 Services.

14 (b) Local Government Distributive Fund.

15 Beginning August 1, 1969, and continuing through June 30,
16 1994, the Treasurer shall transfer each month from the General
17 Revenue Fund to a special fund in the State treasury, to be
18 known as the "Local Government Distributive Fund", an amount
19 equal to 1/12 of the net revenue realized from the tax imposed
20 by subsections (a) and (b) of Section 201 of this Act during
21 the preceding month. Beginning July 1, 1994, and continuing
22 through June 30, 1995, the Treasurer shall transfer each month
23 from the General Revenue Fund to the Local Government
24 Distributive Fund an amount equal to 1/11 of the net revenue
25 realized from the tax imposed by subsections (a) and (b) of
26 Section 201 of this Act during the preceding month. Beginning

1 July 1, 1995, the Treasurer shall transfer each month from the
2 General Revenue Fund to the Local Government Distributive Fund
3 an amount equal to the net of (i) 1/10 of the net revenue
4 realized from the tax imposed by subsections (a) and (b) of
5 Section 201 of the Illinois Income Tax Act during the preceding
6 month (ii) minus, beginning July 1, 2003 and ending June 30,
7 2004, \$6,666,666, and beginning July 1, 2004, zero. Net revenue
8 realized for a month shall be defined as the revenue from the
9 tax imposed by subsections (a) and (b) of Section 201 of this
10 Act which is deposited in the General Revenue Fund, the
11 Educational Assistance Fund and the Income Tax Surcharge Local
12 Government Distributive Fund during the month minus the amount
13 paid out of the General Revenue Fund in State warrants during
14 that same month as refunds to taxpayers for overpayment of
15 liability under the tax imposed by subsections (a) and (b) of
16 Section 201 of this Act.

17 (c) Deposits Into Income Tax Refund Fund.

18 (1) Beginning on January 1, 1989 and thereafter, the
19 Department shall deposit a percentage of the amounts
20 collected pursuant to subsections (a) and (b)(1), (2), and
21 (3), of Section 201 of this Act into a fund in the State
22 treasury known as the Income Tax Refund Fund. The
23 Department shall deposit 6% of such amounts during the
24 period beginning January 1, 1989 and ending on June 30,
25 1989. Beginning with State fiscal year 1990 and for each
26 fiscal year thereafter, the percentage deposited into the

1 Income Tax Refund Fund during a fiscal year shall be the
2 Annual Percentage. For fiscal years 1999 through 2001, the
3 Annual Percentage shall be 7.1%. For fiscal year 2003, the
4 Annual Percentage shall be 8%. For fiscal year 2004, the
5 Annual Percentage shall be 11.7%. Upon the effective date
6 of this amendatory Act of the 93rd General Assembly, the
7 Annual Percentage shall be 10% for fiscal year 2005. For
8 fiscal year 2006, the Annual Percentage shall be 9.75%. For
9 fiscal year 2007, the Annual Percentage shall be 9.75%. For
10 fiscal year 2008, the Annual Percentage shall be 7.75%. For
11 fiscal year 2009, the Annual Percentage shall be 9.75%. For
12 fiscal year 2010, the Annual Percentage shall be 9.75%. For
13 fiscal year 2011, the Annual Percentage shall be 8.75%. For
14 all other fiscal years, the Annual Percentage shall be
15 calculated as a fraction, the numerator of which shall be
16 the amount of refunds approved for payment by the
17 Department during the preceding fiscal year as a result of
18 overpayment of tax liability under subsections (a) and
19 (b) (1), (2), and (3) of Section 201 of this Act plus the
20 amount of such refunds remaining approved but unpaid at the
21 end of the preceding fiscal year, minus the amounts
22 transferred into the Income Tax Refund Fund from the
23 Tobacco Settlement Recovery Fund, and the denominator of
24 which shall be the amounts which will be collected pursuant
25 to subsections (a) and (b) (1), (2), and (3) of Section 201
26 of this Act during the preceding fiscal year; except that

1 in State fiscal year 2002, the Annual Percentage shall in
2 no event exceed 7.6%. The Director of Revenue shall certify
3 the Annual Percentage to the Comptroller on the last
4 business day of the fiscal year immediately preceding the
5 fiscal year for which it is to be effective.

6 (2) Beginning on January 1, 1989 and thereafter, the
7 Department shall deposit a percentage of the amounts
8 collected pursuant to subsections (a) and (b)(6), (7), and
9 (8), (c) and (d) of Section 201 of this Act into a fund in
10 the State treasury known as the Income Tax Refund Fund. The
11 Department shall deposit 18% of such amounts during the
12 period beginning January 1, 1989 and ending on June 30,
13 1989. Beginning with State fiscal year 1990 and for each
14 fiscal year thereafter, the percentage deposited into the
15 Income Tax Refund Fund during a fiscal year shall be the
16 Annual Percentage. For fiscal years 1999, 2000, and 2001,
17 the Annual Percentage shall be 19%. For fiscal year 2003,
18 the Annual Percentage shall be 27%. For fiscal year 2004,
19 the Annual Percentage shall be 32%. Upon the effective date
20 of this amendatory Act of the 93rd General Assembly, the
21 Annual Percentage shall be 24% for fiscal year 2005. For
22 fiscal year 2006, the Annual Percentage shall be 20%. For
23 fiscal year 2007, the Annual Percentage shall be 17.5%. For
24 fiscal year 2008, the Annual Percentage shall be 15.5%. For
25 fiscal year 2009, the Annual Percentage shall be 17.5%. For
26 fiscal year 2010, the Annual Percentage shall be 17.5%. For

1 fiscal year 2011, the Annual Percentage shall be 17.5%. For
2 all other fiscal years, the Annual Percentage shall be
3 calculated as a fraction, the numerator of which shall be
4 the amount of refunds approved for payment by the
5 Department during the preceding fiscal year as a result of
6 overpayment of tax liability under subsections (a) and
7 (b) (6), (7), and (8), (c) and (d) of Section 201 of this
8 Act plus the amount of such refunds remaining approved but
9 unpaid at the end of the preceding fiscal year, and the
10 denominator of which shall be the amounts which will be
11 collected pursuant to subsections (a) and (b) (6), (7), and
12 (8), (c) and (d) of Section 201 of this Act during the
13 preceding fiscal year; except that in State fiscal year
14 2002, the Annual Percentage shall in no event exceed 23%.
15 The Director of Revenue shall certify the Annual Percentage
16 to the Comptroller on the last business day of the fiscal
17 year immediately preceding the fiscal year for which it is
18 to be effective.

19 (3) The Comptroller shall order transferred and the
20 Treasurer shall transfer from the Tobacco Settlement
21 Recovery Fund to the Income Tax Refund Fund (i) \$35,000,000
22 in January, 2001, (ii) \$35,000,000 in January, 2002, and
23 (iii) \$35,000,000 in January, 2003.

24 (d) Expenditures from Income Tax Refund Fund.

25 (1) Beginning January 1, 1989, money in the Income Tax
26 Refund Fund shall be expended exclusively for the purpose

1 of paying refunds resulting from overpayment of tax
2 liability under Section 201 of this Act, for paying rebates
3 under Section 208.1 in the event that the amounts in the
4 Homeowners' Tax Relief Fund are insufficient for that
5 purpose, and for making transfers pursuant to this
6 subsection (d).

7 (2) The Director shall order payment of refunds
8 resulting from overpayment of tax liability under Section
9 201 of this Act from the Income Tax Refund Fund only to the
10 extent that amounts collected pursuant to Section 201 of
11 this Act and transfers pursuant to this subsection (d) and
12 item (3) of subsection (c) have been deposited and retained
13 in the Fund.

14 (3) As soon as possible after the end of each fiscal
15 year, the Director shall order transferred and the State
16 Treasurer and State Comptroller shall transfer from the
17 Income Tax Refund Fund to the Personal Property Tax
18 Replacement Fund an amount, certified by the Director to
19 the Comptroller, equal to the excess of the amount
20 collected pursuant to subsections (c) and (d) of Section
21 201 of this Act deposited into the Income Tax Refund Fund
22 during the fiscal year over the amount of refunds resulting
23 from overpayment of tax liability under subsections (c) and
24 (d) of Section 201 of this Act paid from the Income Tax
25 Refund Fund during the fiscal year.

26 (4) As soon as possible after the end of each fiscal

1 year, the Director shall order transferred and the State
2 Treasurer and State Comptroller shall transfer from the
3 Personal Property Tax Replacement Fund to the Income Tax
4 Refund Fund an amount, certified by the Director to the
5 Comptroller, equal to the excess of the amount of refunds
6 resulting from overpayment of tax liability under
7 subsections (c) and (d) of Section 201 of this Act paid
8 from the Income Tax Refund Fund during the fiscal year over
9 the amount collected pursuant to subsections (c) and (d) of
10 Section 201 of this Act deposited into the Income Tax
11 Refund Fund during the fiscal year.

12 (4.5) As soon as possible after the end of fiscal year
13 1999 and of each fiscal year thereafter, the Director shall
14 order transferred and the State Treasurer and State
15 Comptroller shall transfer from the Income Tax Refund Fund
16 to the General Revenue Fund any surplus remaining in the
17 Income Tax Refund Fund as of the end of such fiscal year;
18 excluding for fiscal years 2000, 2001, and 2002 amounts
19 attributable to transfers under item (3) of subsection (c)
20 less refunds resulting from the earned income tax credit.

21 (5) This Act shall constitute an irrevocable and
22 continuing appropriation from the Income Tax Refund Fund
23 for the purpose of paying refunds upon the order of the
24 Director in accordance with the provisions of this Section.

25 (e) Deposits into the Education Assistance Fund and the
26 Income Tax Surcharge Local Government Distributive Fund.

1 On July 1, 1991, and thereafter, of the amounts collected
2 pursuant to subsections (a) and (b) of Section 201 of this Act,
3 minus deposits into the Income Tax Refund Fund, the Department
4 shall deposit 7.3% into the Education Assistance Fund in the
5 State Treasury. Beginning July 1, 1991, and continuing through
6 January 31, 1993, of the amounts collected pursuant to
7 subsections (a) and (b) of Section 201 of the Illinois Income
8 Tax Act, minus deposits into the Income Tax Refund Fund, the
9 Department shall deposit 3.0% into the Income Tax Surcharge
10 Local Government Distributive Fund in the State Treasury.
11 Beginning February 1, 1993 and continuing through June 30,
12 1993, of the amounts collected pursuant to subsections (a) and
13 (b) of Section 201 of the Illinois Income Tax Act, minus
14 deposits into the Income Tax Refund Fund, the Department shall
15 deposit 4.4% into the Income Tax Surcharge Local Government
16 Distributive Fund in the State Treasury. Beginning July 1,
17 1993, and continuing through June 30, 1994, of the amounts
18 collected under subsections (a) and (b) of Section 201 of this
19 Act, minus deposits into the Income Tax Refund Fund, the
20 Department shall deposit 1.475% into the Income Tax Surcharge
21 Local Government Distributive Fund in the State Treasury.

22 (Source: P.A. 95-707, eff. 1-11-08; 95-744, eff. 7-18-08;
23 96-45, eff. 7-15-09; 96-328, eff. 8-11-09.)

24 Section 5-40. The Motor Fuel Tax Law is amended by changing
25 Section 8 as follows:

1 (35 ILCS 505/8) (from Ch. 120, par. 424)

2 Sec. 8. Except as provided in Section 8a, subdivision
3 (h) (1) of Section 12a, Section 13a.6, and items 13, 14, 15, and
4 16 of Section 15, all money received by the Department under
5 this Act, including payments made to the Department by member
6 jurisdictions participating in the International Fuel Tax
7 Agreement, shall be deposited in a special fund in the State
8 treasury, to be known as the "Motor Fuel Tax Fund", and shall
9 be used as follows:

10 (a) 2 1/2 cents per gallon of the tax collected on special
11 fuel under paragraph (b) of Section 2 and Section 13a of this
12 Act shall be transferred to the State Construction Account Fund
13 in the State Treasury;

14 (b) \$420,000 shall be transferred each month to the State
15 Boating Act Fund to be used by the Department of Natural
16 Resources for the purposes specified in Article X of the Boat
17 Registration and Safety Act;

18 (c) \$3,500,000 shall be transferred each month to the Grade
19 Crossing Protection Fund to be used as follows: not less than
20 \$12,000,000 each fiscal year shall be used for the construction
21 or reconstruction of rail highway grade separation structures;
22 \$2,250,000 in fiscal years 2004 through 2009 and \$3,000,000 in
23 fiscal year 2010 and each fiscal year thereafter shall be
24 transferred to the Transportation Regulatory Fund and shall be
25 accounted for as part of the rail carrier portion of such funds

1 and shall be used to pay the cost of administration of the
2 Illinois Commerce Commission's railroad safety program in
3 connection with its duties under subsection (3) of Section
4 18c-7401 of the Illinois Vehicle Code, with the remainder to be
5 used by the Department of Transportation upon order of the
6 Illinois Commerce Commission, to pay that part of the cost
7 apportioned by such Commission to the State to cover the
8 interest of the public in the use of highways, roads, streets,
9 or pedestrian walkways in the county highway system, township
10 and district road system, or municipal street system as defined
11 in the Illinois Highway Code, as the same may from time to time
12 be amended, for separation of grades, for installation,
13 construction or reconstruction of crossing protection or
14 reconstruction, alteration, relocation including construction
15 or improvement of any existing highway necessary for access to
16 property or improvement of any grade crossing and grade
17 crossing surface including the necessary highway approaches
18 thereto of any railroad across the highway or public road, or
19 for the installation, construction, reconstruction, or
20 maintenance of a pedestrian walkway over or under a railroad
21 right-of-way, as provided for in and in accordance with Section
22 18c-7401 of the Illinois Vehicle Code. The Commission may order
23 up to \$2,000,000 per year in Grade Crossing Protection Fund
24 moneys for the improvement of grade crossing surfaces and up to
25 \$300,000 per year for the maintenance and renewal of 4-quadrant
26 gate vehicle detection systems located at non-high speed rail

1 grade crossings. The Commission shall not order more than
2 \$2,000,000 per year in Grade Crossing Protection Fund moneys
3 for pedestrian walkways. In entering orders for projects for
4 which payments from the Grade Crossing Protection Fund will be
5 made, the Commission shall account for expenditures authorized
6 by the orders on a cash rather than an accrual basis. For
7 purposes of this requirement an "accrual basis" assumes that
8 the total cost of the project is expended in the fiscal year in
9 which the order is entered, while a "cash basis" allocates the
10 cost of the project among fiscal years as expenditures are
11 actually made. To meet the requirements of this subsection, the
12 Illinois Commerce Commission shall develop annual and 5-year
13 project plans of rail crossing capital improvements that will
14 be paid for with moneys from the Grade Crossing Protection
15 Fund. The annual project plan shall identify projects for the
16 succeeding fiscal year and the 5-year project plan shall
17 identify projects for the 5 directly succeeding fiscal years.
18 The Commission shall submit the annual and 5-year project plans
19 for this Fund to the Governor, the President of the Senate, the
20 Senate Minority Leader, the Speaker of the House of
21 Representatives, and the Minority Leader of the House of
22 Representatives on the first Wednesday in April of each year;

23 (d) of the amount remaining after allocations provided for
24 in subsections (a), (b) and (c), a sufficient amount shall be
25 reserved to pay all of the following:

26 (1) the costs of the Department of Revenue in

1 administering this Act;

2 (2) the costs of the Department of Transportation in
3 performing its duties imposed by the Illinois Highway Code
4 for supervising the use of motor fuel tax funds apportioned
5 to municipalities, counties and road districts;

6 (3) refunds provided for in Section 13 of this Act and
7 under the terms of the International Fuel Tax Agreement
8 referenced in Section 14a;

9 (4) from October 1, 1985 until June 30, 1994, the
10 administration of the Vehicle Emissions Inspection Law,
11 which amount shall be certified monthly by the
12 Environmental Protection Agency to the State Comptroller
13 and shall promptly be transferred by the State Comptroller
14 and Treasurer from the Motor Fuel Tax Fund to the Vehicle
15 Inspection Fund, and for the period July 1, 1994 through
16 June 30, 2000, one-twelfth of \$25,000,000 each month, for
17 the period July 1, 2000 through June 30, 2003, one-twelfth
18 of \$30,000,000 each month, and \$15,000,000 on July 1, 2003,
19 and \$15,000,000 on January 1, 2004, and \$15,000,000 on each
20 July 1 and October 1, or as soon thereafter as may be
21 practical, during the period July 1, 2004 through June 30,
22 2011 ~~2010~~, for the administration of the Vehicle Emissions
23 Inspection Law of 2005, to be transferred by the State
24 Comptroller and Treasurer from the Motor Fuel Tax Fund into
25 the Vehicle Inspection Fund;

26 (5) amounts ordered paid by the Court of Claims; and

1 (6) payment of motor fuel use taxes due to member
2 jurisdictions under the terms of the International Fuel Tax
3 Agreement. The Department shall certify these amounts to
4 the Comptroller by the 15th day of each month; the
5 Comptroller shall cause orders to be drawn for such
6 amounts, and the Treasurer shall administer those amounts
7 on or before the last day of each month;

8 (e) after allocations for the purposes set forth in
9 subsections (a), (b), (c) and (d), the remaining amount shall
10 be apportioned as follows:

11 (1) Until January 1, 2000, 58.4%, and beginning January
12 1, 2000, 45.6% shall be deposited as follows:

13 (A) 37% into the State Construction Account Fund,
14 and

15 (B) 63% into the Road Fund, \$1,250,000 of which
16 shall be reserved each month for the Department of
17 Transportation to be used in accordance with the
18 provisions of Sections 6-901 through 6-906 of the
19 Illinois Highway Code;

20 (2) Until January 1, 2000, 41.6%, and beginning January
21 1, 2000, 54.4% shall be transferred to the Department of
22 Transportation to be distributed as follows:

23 (A) 49.10% to the municipalities of the State,

24 (B) 16.74% to the counties of the State having
25 1,000,000 or more inhabitants,

26 (C) 18.27% to the counties of the State having less

1 than 1,000,000 inhabitants,

2 (D) 15.89% to the road districts of the State.

3 As soon as may be after the first day of each month the
4 Department of Transportation shall allot to each municipality
5 its share of the amount apportioned to the several
6 municipalities which shall be in proportion to the population
7 of such municipalities as determined by the last preceding
8 municipal census if conducted by the Federal Government or
9 Federal census. If territory is annexed to any municipality
10 subsequent to the time of the last preceding census the
11 corporate authorities of such municipality may cause a census
12 to be taken of such annexed territory and the population so
13 ascertained for such territory shall be added to the population
14 of the municipality as determined by the last preceding census
15 for the purpose of determining the allotment for that
16 municipality. If the population of any municipality was not
17 determined by the last Federal census preceding any
18 apportionment, the apportionment to such municipality shall be
19 in accordance with any census taken by such municipality. Any
20 municipal census used in accordance with this Section shall be
21 certified to the Department of Transportation by the clerk of
22 such municipality, and the accuracy thereof shall be subject to
23 approval of the Department which may make such corrections as
24 it ascertains to be necessary.

25 As soon as may be after the first day of each month the
26 Department of Transportation shall allot to each county its

1 share of the amount apportioned to the several counties of the
2 State as herein provided. Each allotment to the several
3 counties having less than 1,000,000 inhabitants shall be in
4 proportion to the amount of motor vehicle license fees received
5 from the residents of such counties, respectively, during the
6 preceding calendar year. The Secretary of State shall, on or
7 before April 15 of each year, transmit to the Department of
8 Transportation a full and complete report showing the amount of
9 motor vehicle license fees received from the residents of each
10 county, respectively, during the preceding calendar year. The
11 Department of Transportation shall, each month, use for
12 allotment purposes the last such report received from the
13 Secretary of State.

14 As soon as may be after the first day of each month, the
15 Department of Transportation shall allot to the several
16 counties their share of the amount apportioned for the use of
17 road districts. The allotment shall be apportioned among the
18 several counties in the State in the proportion which the total
19 mileage of township or district roads in the respective
20 counties bears to the total mileage of all township and
21 district roads in the State. Funds allotted to the respective
22 counties for the use of road districts therein shall be
23 allocated to the several road districts in the county in the
24 proportion which the total mileage of such township or district
25 roads in the respective road districts bears to the total
26 mileage of all such township or district roads in the county.

1 After July 1 of any year, no allocation shall be made for any
2 road district unless it levied a tax for road and bridge
3 purposes in an amount which will require the extension of such
4 tax against the taxable property in any such road district at a
5 rate of not less than either .08% of the value thereof, based
6 upon the assessment for the year immediately prior to the year
7 in which such tax was levied and as equalized by the Department
8 of Revenue or, in DuPage County, an amount equal to or greater
9 than \$12,000 per mile of road under the jurisdiction of the
10 road district, whichever is less. If any road district has
11 levied a special tax for road purposes pursuant to Sections
12 6-601, 6-602 and 6-603 of the Illinois Highway Code, and such
13 tax was levied in an amount which would require extension at a
14 rate of not less than .08% of the value of the taxable property
15 thereof, as equalized or assessed by the Department of Revenue,
16 or, in DuPage County, an amount equal to or greater than
17 \$12,000 per mile of road under the jurisdiction of the road
18 district, whichever is less, such levy shall, however, be
19 deemed a proper compliance with this Section and shall qualify
20 such road district for an allotment under this Section. If a
21 township has transferred to the road and bridge fund money
22 which, when added to the amount of any tax levy of the road
23 district would be the equivalent of a tax levy requiring
24 extension at a rate of at least .08%, or, in DuPage County, an
25 amount equal to or greater than \$12,000 per mile of road under
26 the jurisdiction of the road district, whichever is less, such

1 transfer, together with any such tax levy, shall be deemed a
2 proper compliance with this Section and shall qualify the road
3 district for an allotment under this Section.

4 In counties in which a property tax extension limitation is
5 imposed under the Property Tax Extension Limitation Law, road
6 districts may retain their entitlement to a motor fuel tax
7 allotment if, at the time the property tax extension limitation
8 was imposed, the road district was levying a road and bridge
9 tax at a rate sufficient to entitle it to a motor fuel tax
10 allotment and continues to levy the maximum allowable amount
11 after the imposition of the property tax extension limitation.
12 Any road district may in all circumstances retain its
13 entitlement to a motor fuel tax allotment if it levied a road
14 and bridge tax in an amount that will require the extension of
15 the tax against the taxable property in the road district at a
16 rate of not less than 0.08% of the assessed value of the
17 property, based upon the assessment for the year immediately
18 preceding the year in which the tax was levied and as equalized
19 by the Department of Revenue or, in DuPage County, an amount
20 equal to or greater than \$12,000 per mile of road under the
21 jurisdiction of the road district, whichever is less.

22 As used in this Section the term "road district" means any
23 road district, including a county unit road district, provided
24 for by the Illinois Highway Code; and the term "township or
25 district road" means any road in the township and district road
26 system as defined in the Illinois Highway Code. For the

1 purposes of this Section, "road district" also includes park
2 districts, forest preserve districts and conservation
3 districts organized under Illinois law and "township or
4 district road" also includes such roads as are maintained by
5 park districts, forest preserve districts and conservation
6 districts. The Department of Transportation shall determine
7 the mileage of all township and district roads for the purposes
8 of making allotments and allocations of motor fuel tax funds
9 for use in road districts.

10 Payment of motor fuel tax moneys to municipalities and
11 counties shall be made as soon as possible after the allotment
12 is made. The treasurer of the municipality or county may invest
13 these funds until their use is required and the interest earned
14 by these investments shall be limited to the same uses as the
15 principal funds.

16 (Source: P.A. 95-744, eff. 7-18-08; 96-34, eff. 7-13-09; 96-45,
17 eff. 7-15-09; revised 11-3-09.)

18 Section 5-47. The School Code is amended by changing
19 Section 18-8.05 as follows:

20 (105 ILCS 5/18-8.05)

21 Sec. 18-8.05. Basis for apportionment of general State
22 financial aid and supplemental general State aid to the common
23 schools for the 1998-1999 and subsequent school years.

1 (A) General Provisions.

2 (1) The provisions of this Section apply to the 1998-1999
3 and subsequent school years. The system of general State
4 financial aid provided for in this Section is designed to
5 assure that, through a combination of State financial aid and
6 required local resources, the financial support provided each
7 pupil in Average Daily Attendance equals or exceeds a
8 prescribed per pupil Foundation Level. This formula approach
9 imputes a level of per pupil Available Local Resources and
10 provides for the basis to calculate a per pupil level of
11 general State financial aid that, when added to Available Local
12 Resources, equals or exceeds the Foundation Level. The amount
13 of per pupil general State financial aid for school districts,
14 in general, varies in inverse relation to Available Local
15 Resources. Per pupil amounts are based upon each school
16 district's Average Daily Attendance as that term is defined in
17 this Section.

18 (2) In addition to general State financial aid, school
19 districts with specified levels or concentrations of pupils
20 from low income households are eligible to receive supplemental
21 general State financial aid grants as provided pursuant to
22 subsection (H). The supplemental State aid grants provided for
23 school districts under subsection (H) shall be appropriated for
24 distribution to school districts as part of the same line item
25 in which the general State financial aid of school districts is
26 appropriated under this Section.

1 (3) To receive financial assistance under this Section,
2 school districts are required to file claims with the State
3 Board of Education, subject to the following requirements:

4 (a) Any school district which fails for any given
5 school year to maintain school as required by law, or to
6 maintain a recognized school is not eligible to file for
7 such school year any claim upon the Common School Fund. In
8 case of nonrecognition of one or more attendance centers in
9 a school district otherwise operating recognized schools,
10 the claim of the district shall be reduced in the
11 proportion which the Average Daily Attendance in the
12 attendance center or centers bear to the Average Daily
13 Attendance in the school district. A "recognized school"
14 means any public school which meets the standards as
15 established for recognition by the State Board of
16 Education. A school district or attendance center not
17 having recognition status at the end of a school term is
18 entitled to receive State aid payments due upon a legal
19 claim which was filed while it was recognized.

20 (b) School district claims filed under this Section are
21 subject to Sections 18-9 and 18-12, except as otherwise
22 provided in this Section.

23 (c) If a school district operates a full year school
24 under Section 10-19.1, the general State aid to the school
25 district shall be determined by the State Board of
26 Education in accordance with this Section as near as may be

1 applicable.

2 (d) (Blank).

3 (4) Except as provided in subsections (H) and (L), the
4 board of any district receiving any of the grants provided for
5 in this Section may apply those funds to any fund so received
6 for which that board is authorized to make expenditures by law.

7 School districts are not required to exert a minimum
8 Operating Tax Rate in order to qualify for assistance under
9 this Section.

10 (5) As used in this Section the following terms, when
11 capitalized, shall have the meaning ascribed herein:

12 (a) "Average Daily Attendance": A count of pupil
13 attendance in school, averaged as provided for in
14 subsection (C) and utilized in deriving per pupil financial
15 support levels.

16 (b) "Available Local Resources": A computation of
17 local financial support, calculated on the basis of Average
18 Daily Attendance and derived as provided pursuant to
19 subsection (D).

20 (c) "Corporate Personal Property Replacement Taxes":
21 Funds paid to local school districts pursuant to "An Act in
22 relation to the abolition of ad valorem personal property
23 tax and the replacement of revenues lost thereby, and
24 amending and repealing certain Acts and parts of Acts in
25 connection therewith", certified August 14, 1979, as
26 amended (Public Act 81-1st S.S.-1).

1 (d) "Foundation Level": A prescribed level of per pupil
2 financial support as provided for in subsection (B).

3 (e) "Operating Tax Rate": All school district property
4 taxes extended for all purposes, except Bond and Interest,
5 Summer School, Rent, Capital Improvement, and Vocational
6 Education Building purposes.

7 (B) Foundation Level.

8 (1) The Foundation Level is a figure established by the
9 State representing the minimum level of per pupil financial
10 support that should be available to provide for the basic
11 education of each pupil in Average Daily Attendance. As set
12 forth in this Section, each school district is assumed to exert
13 a sufficient local taxing effort such that, in combination with
14 the aggregate of general State financial aid provided the
15 district, an aggregate of State and local resources are
16 available to meet the basic education needs of pupils in the
17 district.

18 (2) For the 1998-1999 school year, the Foundation Level of
19 support is \$4,225. For the 1999-2000 school year, the
20 Foundation Level of support is \$4,325. For the 2000-2001 school
21 year, the Foundation Level of support is \$4,425. For the
22 2001-2002 school year and 2002-2003 school year, the Foundation
23 Level of support is \$4,560. For the 2003-2004 school year, the
24 Foundation Level of support is \$4,810. For the 2004-2005 school
25 year, the Foundation Level of support is \$4,964. For the

1 2005-2006 school year, the Foundation Level of support is
2 \$5,164. For the 2006-2007 school year, the Foundation Level of
3 support is \$5,334. For the 2007-2008 school year, the
4 Foundation Level of support is \$5,734. For the 2008-2009 school
5 year, the Foundation Level of support is \$5,959.

6 (3) For the 2009-2010 school year and each school year
7 thereafter, the Foundation Level of support is \$6,119 or such
8 greater amount as may be established by law by the General
9 Assembly.

10 (C) Average Daily Attendance.

11 (1) For purposes of calculating general State aid pursuant
12 to subsection (E), an Average Daily Attendance figure shall be
13 utilized. The Average Daily Attendance figure for formula
14 calculation purposes shall be the monthly average of the actual
15 number of pupils in attendance of each school district, as
16 further averaged for the best 3 months of pupil attendance for
17 each school district. In compiling the figures for the number
18 of pupils in attendance, school districts and the State Board
19 of Education shall, for purposes of general State aid funding,
20 conform attendance figures to the requirements of subsection
21 (F).

22 (2) The Average Daily Attendance figures utilized in
23 subsection (E) shall be the requisite attendance data for the
24 school year immediately preceding the school year for which
25 general State aid is being calculated or the average of the

1 attendance data for the 3 preceding school years, whichever is
2 greater. The Average Daily Attendance figures utilized in
3 subsection (H) shall be the requisite attendance data for the
4 school year immediately preceding the school year for which
5 general State aid is being calculated.

6 (D) Available Local Resources.

7 (1) For purposes of calculating general State aid pursuant
8 to subsection (E), a representation of Available Local
9 Resources per pupil, as that term is defined and determined in
10 this subsection, shall be utilized. Available Local Resources
11 per pupil shall include a calculated dollar amount representing
12 local school district revenues from local property taxes and
13 from Corporate Personal Property Replacement Taxes, expressed
14 on the basis of pupils in Average Daily Attendance. Calculation
15 of Available Local Resources shall exclude any tax amnesty
16 funds received as a result of Public Act 93-26.

17 (2) In determining a school district's revenue from local
18 property taxes, the State Board of Education shall utilize the
19 equalized assessed valuation of all taxable property of each
20 school district as of September 30 of the previous year. The
21 equalized assessed valuation utilized shall be obtained and
22 determined as provided in subsection (G).

23 (3) For school districts maintaining grades kindergarten
24 through 12, local property tax revenues per pupil shall be
25 calculated as the product of the applicable equalized assessed

1 valuation for the district multiplied by 3.00%, and divided by
2 the district's Average Daily Attendance figure. For school
3 districts maintaining grades kindergarten through 8, local
4 property tax revenues per pupil shall be calculated as the
5 product of the applicable equalized assessed valuation for the
6 district multiplied by 2.30%, and divided by the district's
7 Average Daily Attendance figure. For school districts
8 maintaining grades 9 through 12, local property tax revenues
9 per pupil shall be the applicable equalized assessed valuation
10 of the district multiplied by 1.05%, and divided by the
11 district's Average Daily Attendance figure.

12 For partial elementary unit districts created pursuant to
13 Article 11E of this Code, local property tax revenues per pupil
14 shall be calculated as the product of the equalized assessed
15 valuation for property within the partial elementary unit
16 district for elementary purposes, as defined in Article 11E of
17 this Code, multiplied by 2.06% and divided by the district's
18 Average Daily Attendance figure, plus the product of the
19 equalized assessed valuation for property within the partial
20 elementary unit district for high school purposes, as defined
21 in Article 11E of this Code, multiplied by 0.94% and divided by
22 the district's Average Daily Attendance figure.

23 (4) The Corporate Personal Property Replacement Taxes paid
24 to each school district during the calendar year one year
25 before the calendar year in which a school year begins, divided
26 by the Average Daily Attendance figure for that district, shall

1 be added to the local property tax revenues per pupil as
2 derived by the application of the immediately preceding
3 paragraph (3). The sum of these per pupil figures for each
4 school district shall constitute Available Local Resources as
5 that term is utilized in subsection (E) in the calculation of
6 general State aid.

7 (E) Computation of General State Aid.

8 (1) For each school year, the amount of general State aid
9 allotted to a school district shall be computed by the State
10 Board of Education as provided in this subsection.

11 (2) For any school district for which Available Local
12 Resources per pupil is less than the product of 0.93 times the
13 Foundation Level, general State aid for that district shall be
14 calculated as an amount equal to the Foundation Level minus
15 Available Local Resources, multiplied by the Average Daily
16 Attendance of the school district.

17 (3) For any school district for which Available Local
18 Resources per pupil is equal to or greater than the product of
19 0.93 times the Foundation Level and less than the product of
20 1.75 times the Foundation Level, the general State aid per
21 pupil shall be a decimal proportion of the Foundation Level
22 derived using a linear algorithm. Under this linear algorithm,
23 the calculated general State aid per pupil shall decline in
24 direct linear fashion from 0.07 times the Foundation Level for
25 a school district with Available Local Resources equal to the

1 product of 0.93 times the Foundation Level, to 0.05 times the
2 Foundation Level for a school district with Available Local
3 Resources equal to the product of 1.75 times the Foundation
4 Level. The allocation of general State aid for school districts
5 subject to this paragraph 3 shall be the calculated general
6 State aid per pupil figure multiplied by the Average Daily
7 Attendance of the school district.

8 (4) For any school district for which Available Local
9 Resources per pupil equals or exceeds the product of 1.75 times
10 the Foundation Level, the general State aid for the school
11 district shall be calculated as the product of \$218 multiplied
12 by the Average Daily Attendance of the school district.

13 (5) The amount of general State aid allocated to a school
14 district for the 1999-2000 school year meeting the requirements
15 set forth in paragraph (4) of subsection (G) shall be increased
16 by an amount equal to the general State aid that would have
17 been received by the district for the 1998-1999 school year by
18 utilizing the Extension Limitation Equalized Assessed
19 Valuation as calculated in paragraph (4) of subsection (G) less
20 the general State aid allotted for the 1998-1999 school year.
21 This amount shall be deemed a one time increase, and shall not
22 affect any future general State aid allocations.

23 (F) Compilation of Average Daily Attendance.

24 (1) Each school district shall, by July 1 of each year,
25 submit to the State Board of Education, on forms prescribed by

1 the State Board of Education, attendance figures for the school
2 year that began in the preceding calendar year. The attendance
3 information so transmitted shall identify the average daily
4 attendance figures for each month of the school year. Beginning
5 with the general State aid claim form for the 2002-2003 school
6 year, districts shall calculate Average Daily Attendance as
7 provided in subdivisions (a), (b), and (c) of this paragraph
8 (1).

9 (a) In districts that do not hold year-round classes,
10 days of attendance in August shall be added to the month of
11 September and any days of attendance in June shall be added
12 to the month of May.

13 (b) In districts in which all buildings hold year-round
14 classes, days of attendance in July and August shall be
15 added to the month of September and any days of attendance
16 in June shall be added to the month of May.

17 (c) In districts in which some buildings, but not all,
18 hold year-round classes, for the non-year-round buildings,
19 days of attendance in August shall be added to the month of
20 September and any days of attendance in June shall be added
21 to the month of May. The average daily attendance for the
22 year-round buildings shall be computed as provided in
23 subdivision (b) of this paragraph (1). To calculate the
24 Average Daily Attendance for the district, the average
25 daily attendance for the year-round buildings shall be
26 multiplied by the days in session for the non-year-round

1 buildings for each month and added to the monthly
2 attendance of the non-year-round buildings.

3 Except as otherwise provided in this Section, days of
4 attendance by pupils shall be counted only for sessions of not
5 less than 5 clock hours of school work per day under direct
6 supervision of: (i) teachers, or (ii) non-teaching personnel or
7 volunteer personnel when engaging in non-teaching duties and
8 supervising in those instances specified in subsection (a) of
9 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
10 of legal school age and in kindergarten and grades 1 through
11 12.

12 Days of attendance by tuition pupils shall be accredited
13 only to the districts that pay the tuition to a recognized
14 school.

15 (2) Days of attendance by pupils of less than 5 clock hours
16 of school shall be subject to the following provisions in the
17 compilation of Average Daily Attendance.

18 (a) Pupils regularly enrolled in a public school for
19 only a part of the school day may be counted on the basis
20 of 1/6 day for every class hour of instruction of 40
21 minutes or more attended pursuant to such enrollment,
22 unless a pupil is enrolled in a block-schedule format of 80
23 minutes or more of instruction, in which case the pupil may
24 be counted on the basis of the proportion of minutes of
25 school work completed each day to the minimum number of
26 minutes that school work is required to be held that day.

1 (b) Days of attendance may be less than 5 clock hours
2 on the opening and closing of the school term, and upon the
3 first day of pupil attendance, if preceded by a day or days
4 utilized as an institute or teachers' workshop.

5 (c) A session of 4 or more clock hours may be counted
6 as a day of attendance upon certification by the regional
7 superintendent, and approved by the State Superintendent
8 of Education to the extent that the district has been
9 forced to use daily multiple sessions.

10 (d) A session of 3 or more clock hours may be counted
11 as a day of attendance (1) when the remainder of the school
12 day or at least 2 hours in the evening of that day is
13 utilized for an in-service training program for teachers,
14 up to a maximum of 5 days per school year, provided a
15 district conducts an in-service training program for
16 teachers in accordance with Section 10-22.39 of this Code;
17 or, in lieu of 4 such days, 2 full days may be used, in
18 which event each such day may be counted as a day required
19 for a legal school calendar pursuant to Section 10-19 of
20 this Code; (1.5) when, of the 5 days allowed under item
21 (1), a maximum of 4 days are used for parent-teacher
22 conferences, or, in lieu of 4 such days, 2 full days are
23 used, in which case each such day may be counted as a
24 calendar day required under Section 10-19 of this Code,
25 provided that the full-day, parent-teacher conference
26 consists of (i) a minimum of 5 clock hours of

1 parent-teacher conferences, (ii) both a minimum of 2 clock
2 hours of parent-teacher conferences held in the evening
3 following a full day of student attendance, as specified in
4 subsection (F)(1)(c), and a minimum of 3 clock hours of
5 parent-teacher conferences held on the day immediately
6 following evening parent-teacher conferences, or (iii)
7 multiple parent-teacher conferences held in the evenings
8 following full days of student attendance, as specified in
9 subsection (F)(1)(c), in which the time used for the
10 parent-teacher conferences is equivalent to a minimum of 5
11 clock hours; and (2) when days in addition to those
12 provided in items (1) and (1.5) are scheduled by a school
13 pursuant to its school improvement plan adopted under
14 Article 34 or its revised or amended school improvement
15 plan adopted under Article 2, provided that (i) such
16 sessions of 3 or more clock hours are scheduled to occur at
17 regular intervals, (ii) the remainder of the school days in
18 which such sessions occur are utilized for in-service
19 training programs or other staff development activities
20 for teachers, and (iii) a sufficient number of minutes of
21 school work under the direct supervision of teachers are
22 added to the school days between such regularly scheduled
23 sessions to accumulate not less than the number of minutes
24 by which such sessions of 3 or more clock hours fall short
25 of 5 clock hours. Any full days used for the purposes of
26 this paragraph shall not be considered for computing

1 average daily attendance. Days scheduled for in-service
2 training programs, staff development activities, or
3 parent-teacher conferences may be scheduled separately for
4 different grade levels and different attendance centers of
5 the district.

6 (e) A session of not less than one clock hour of
7 teaching hospitalized or homebound pupils on-site or by
8 telephone to the classroom may be counted as 1/2 day of
9 attendance, however these pupils must receive 4 or more
10 clock hours of instruction to be counted for a full day of
11 attendance.

12 (f) A session of at least 4 clock hours may be counted
13 as a day of attendance for first grade pupils, and pupils
14 in full day kindergartens, and a session of 2 or more hours
15 may be counted as 1/2 day of attendance by pupils in
16 kindergartens which provide only 1/2 day of attendance.

17 (g) For children with disabilities who are below the
18 age of 6 years and who cannot attend 2 or more clock hours
19 because of their disability or immaturity, a session of not
20 less than one clock hour may be counted as 1/2 day of
21 attendance; however for such children whose educational
22 needs so require a session of 4 or more clock hours may be
23 counted as a full day of attendance.

24 (h) A recognized kindergarten which provides for only
25 1/2 day of attendance by each pupil shall not have more
26 than 1/2 day of attendance counted in any one day. However,

1 kindergartens may count 2 1/2 days of attendance in any 5
2 consecutive school days. When a pupil attends such a
3 kindergarten for 2 half days on any one school day, the
4 pupil shall have the following day as a day absent from
5 school, unless the school district obtains permission in
6 writing from the State Superintendent of Education.
7 Attendance at kindergartens which provide for a full day of
8 attendance by each pupil shall be counted the same as
9 attendance by first grade pupils. Only the first year of
10 attendance in one kindergarten shall be counted, except in
11 case of children who entered the kindergarten in their
12 fifth year whose educational development requires a second
13 year of kindergarten as determined under the rules and
14 regulations of the State Board of Education.

15 (i) On the days when the Prairie State Achievement
16 Examination is administered under subsection (c) of
17 Section 2-3.64 of this Code, the day of attendance for a
18 pupil whose school day must be shortened to accommodate
19 required testing procedures may be less than 5 clock hours
20 and shall be counted towards the 176 days of actual pupil
21 attendance required under Section 10-19 of this Code,
22 provided that a sufficient number of minutes of school work
23 in excess of 5 clock hours are first completed on other
24 school days to compensate for the loss of school work on
25 the examination days.

1 (G) Equalized Assessed Valuation Data.

2 (1) For purposes of the calculation of Available Local
3 Resources required pursuant to subsection (D), the State Board
4 of Education shall secure from the Department of Revenue the
5 value as equalized or assessed by the Department of Revenue of
6 all taxable property of every school district, together with
7 (i) the applicable tax rate used in extending taxes for the
8 funds of the district as of September 30 of the previous year
9 and (ii) the limiting rate for all school districts subject to
10 property tax extension limitations as imposed under the
11 Property Tax Extension Limitation Law.

12 The Department of Revenue shall add to the equalized
13 assessed value of all taxable property of each school district
14 situated entirely or partially within a county that is or was
15 subject to the provisions of Section 15-176 or 15-177 of the
16 Property Tax Code (a) an amount equal to the total amount by
17 which the homestead exemption allowed under Section 15-176 or
18 15-177 of the Property Tax Code for real property situated in
19 that school district exceeds the total amount that would have
20 been allowed in that school district if the maximum reduction
21 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in
22 all other counties in tax year 2003 or (ii) \$5,000 in all
23 counties in tax year 2004 and thereafter and (b) an amount
24 equal to the aggregate amount for the taxable year of all
25 additional exemptions under Section 15-175 of the Property Tax
26 Code for owners with a household income of \$30,000 or less. The

1 county clerk of any county that is or was subject to the
2 provisions of Section 15-176 or 15-177 of the Property Tax Code
3 shall annually calculate and certify to the Department of
4 Revenue for each school district all homestead exemption
5 amounts under Section 15-176 or 15-177 of the Property Tax Code
6 and all amounts of additional exemptions under Section 15-175
7 of the Property Tax Code for owners with a household income of
8 \$30,000 or less. It is the intent of this paragraph that if the
9 general homestead exemption for a parcel of property is
10 determined under Section 15-176 or 15-177 of the Property Tax
11 Code rather than Section 15-175, then the calculation of
12 Available Local Resources shall not be affected by the
13 difference, if any, between the amount of the general homestead
14 exemption allowed for that parcel of property under Section
15 15-176 or 15-177 of the Property Tax Code and the amount that
16 would have been allowed had the general homestead exemption for
17 that parcel of property been determined under Section 15-175 of
18 the Property Tax Code. It is further the intent of this
19 paragraph that if additional exemptions are allowed under
20 Section 15-175 of the Property Tax Code for owners with a
21 household income of less than \$30,000, then the calculation of
22 Available Local Resources shall not be affected by the
23 difference, if any, because of those additional exemptions.

24 This equalized assessed valuation, as adjusted further by
25 the requirements of this subsection, shall be utilized in the
26 calculation of Available Local Resources.

1 (2) The equalized assessed valuation in paragraph (1) shall
2 be adjusted, as applicable, in the following manner:

3 (a) For the purposes of calculating State aid under
4 this Section, with respect to any part of a school district
5 within a redevelopment project area in respect to which a
6 municipality has adopted tax increment allocation
7 financing pursuant to the Tax Increment Allocation
8 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11
9 of the Illinois Municipal Code or the Industrial Jobs
10 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the
11 Illinois Municipal Code, no part of the current equalized
12 assessed valuation of real property located in any such
13 project area which is attributable to an increase above the
14 total initial equalized assessed valuation of such
15 property shall be used as part of the equalized assessed
16 valuation of the district, until such time as all
17 redevelopment project costs have been paid, as provided in
18 Section 11-74.4-8 of the Tax Increment Allocation
19 Redevelopment Act or in Section 11-74.6-35 of the
20 Industrial Jobs Recovery Law. For the purpose of the
21 equalized assessed valuation of the district, the total
22 initial equalized assessed valuation or the current
23 equalized assessed valuation, whichever is lower, shall be
24 used until such time as all redevelopment project costs
25 have been paid.

26 (b) The real property equalized assessed valuation for

1 a school district shall be adjusted by subtracting from the
2 real property value as equalized or assessed by the
3 Department of Revenue for the district an amount computed
4 by dividing the amount of any abatement of taxes under
5 Section 18-170 of the Property Tax Code by 3.00% for a
6 district maintaining grades kindergarten through 12, by
7 2.30% for a district maintaining grades kindergarten
8 through 8, or by 1.05% for a district maintaining grades 9
9 through 12 and adjusted by an amount computed by dividing
10 the amount of any abatement of taxes under subsection (a)
11 of Section 18-165 of the Property Tax Code by the same
12 percentage rates for district type as specified in this
13 subparagraph (b).

14 (3) For the 1999-2000 school year and each school year
15 thereafter, if a school district meets all of the criteria of
16 this subsection (G)(3), the school district's Available Local
17 Resources shall be calculated under subsection (D) using the
18 district's Extension Limitation Equalized Assessed Valuation
19 as calculated under this subsection (G)(3).

20 For purposes of this subsection (G)(3) the following terms
21 shall have the following meanings:

22 "Budget Year": The school year for which general State
23 aid is calculated and awarded under subsection (E).

24 "Base Tax Year": The property tax levy year used to
25 calculate the Budget Year allocation of general State aid.

26 "Preceding Tax Year": The property tax levy year

1 immediately preceding the Base Tax Year.

2 "Base Tax Year's Tax Extension": The product of the
3 equalized assessed valuation utilized by the County Clerk
4 in the Base Tax Year multiplied by the limiting rate as
5 calculated by the County Clerk and defined in the Property
6 Tax Extension Limitation Law.

7 "Preceding Tax Year's Tax Extension": The product of
8 the equalized assessed valuation utilized by the County
9 Clerk in the Preceding Tax Year multiplied by the Operating
10 Tax Rate as defined in subsection (A).

11 "Extension Limitation Ratio": A numerical ratio,
12 certified by the County Clerk, in which the numerator is
13 the Base Tax Year's Tax Extension and the denominator is
14 the Preceding Tax Year's Tax Extension.

15 "Operating Tax Rate": The operating tax rate as defined
16 in subsection (A).

17 If a school district is subject to property tax extension
18 limitations as imposed under the Property Tax Extension
19 Limitation Law, the State Board of Education shall calculate
20 the Extension Limitation Equalized Assessed Valuation of that
21 district. For the 1999-2000 school year, the Extension
22 Limitation Equalized Assessed Valuation of a school district as
23 calculated by the State Board of Education shall be equal to
24 the product of the district's 1996 Equalized Assessed Valuation
25 and the district's Extension Limitation Ratio. Except as
26 otherwise provided in this paragraph for a school district that

1 has approved or does approve an increase in its limiting rate,
2 for the 2000-2001 school year and each school year thereafter,
3 the Extension Limitation Equalized Assessed Valuation of a
4 school district as calculated by the State Board of Education
5 shall be equal to the product of the Equalized Assessed
6 Valuation last used in the calculation of general State aid and
7 the district's Extension Limitation Ratio. If the Extension
8 Limitation Equalized Assessed Valuation of a school district as
9 calculated under this subsection (G)(3) is less than the
10 district's equalized assessed valuation as calculated pursuant
11 to subsections (G)(1) and (G)(2), then for purposes of
12 calculating the district's general State aid for the Budget
13 Year pursuant to subsection (E), that Extension Limitation
14 Equalized Assessed Valuation shall be utilized to calculate the
15 district's Available Local Resources under subsection (D). For
16 the 2009-2010 school year and each school year thereafter, if a
17 school district has approved or does approve an increase in its
18 limiting rate, pursuant to Section 18-190 of the Property Tax
19 Code, affecting the Base Tax Year, the Extension Limitation
20 Equalized Assessed Valuation of the school district, as
21 calculated by the State Board of Education, shall be equal to
22 the product of the Equalized Assessed Valuation last used in
23 the calculation of general State aid times an amount equal to
24 one plus the percentage increase, if any, in the Consumer Price
25 Index for all Urban Consumers for all items published by the
26 United States Department of Labor for the 12-month calendar

1 year preceding the Base Tax Year, plus the Equalized Assessed
2 Valuation of new property, annexed property, and recovered tax
3 increment value and minus the Equalized Assessed Valuation of
4 disconnected property. New property and recovered tax
5 increment value shall have the meanings set forth in the
6 Property Tax Extension Limitation Law.

7 Partial elementary unit districts created in accordance
8 with Article 11E of this Code shall not be eligible for the
9 adjustment in this subsection (G)(3) until the fifth year
10 following the effective date of the reorganization.

11 (4) For the purposes of calculating general State aid for
12 the 1999-2000 school year only, if a school district
13 experienced a triennial reassessment on the equalized assessed
14 valuation used in calculating its general State financial aid
15 apportionment for the 1998-1999 school year, the State Board of
16 Education shall calculate the Extension Limitation Equalized
17 Assessed Valuation that would have been used to calculate the
18 district's 1998-1999 general State aid. This amount shall equal
19 the product of the equalized assessed valuation used to
20 calculate general State aid for the 1997-1998 school year and
21 the district's Extension Limitation Ratio. If the Extension
22 Limitation Equalized Assessed Valuation of the school district
23 as calculated under this paragraph (4) is less than the
24 district's equalized assessed valuation utilized in
25 calculating the district's 1998-1999 general State aid
26 allocation, then for purposes of calculating the district's

1 general State aid pursuant to paragraph (5) of subsection (E),
2 that Extension Limitation Equalized Assessed Valuation shall
3 be utilized to calculate the district's Available Local
4 Resources.

5 (5) For school districts having a majority of their
6 equalized assessed valuation in any county except Cook, DuPage,
7 Kane, Lake, McHenry, or Will, if the amount of general State
8 aid allocated to the school district for the 1999-2000 school
9 year under the provisions of subsection (E), (H), and (J) of
10 this Section is less than the amount of general State aid
11 allocated to the district for the 1998-1999 school year under
12 these subsections, then the general State aid of the district
13 for the 1999-2000 school year only shall be increased by the
14 difference between these amounts. The total payments made under
15 this paragraph (5) shall not exceed \$14,000,000. Claims shall
16 be prorated if they exceed \$14,000,000.

17 (H) Supplemental General State Aid.

18 (1) In addition to the general State aid a school district
19 is allotted pursuant to subsection (E), qualifying school
20 districts shall receive a grant, paid in conjunction with a
21 district's payments of general State aid, for supplemental
22 general State aid based upon the concentration level of
23 children from low-income households within the school
24 district. Supplemental State aid grants provided for school
25 districts under this subsection shall be appropriated for

1 distribution to school districts as part of the same line item
2 in which the general State financial aid of school districts is
3 appropriated under this Section. ~~If the appropriation in any~~
4 ~~fiscal year for general State aid and supplemental general~~
5 ~~State aid is insufficient to pay the amounts required under the~~
6 ~~general State aid and supplemental general State aid~~
7 ~~calculations, then the State Board of Education shall ensure~~
8 ~~that each school district receives the full amount due for~~
9 ~~general State aid and the remainder of the appropriation shall~~
10 ~~be used for supplemental general State aid, which the State~~
11 ~~Board of Education shall calculate and pay to eligible~~
12 ~~districts on a prorated basis.~~

13 (1.5) This paragraph (1.5) applies only to those school
14 years preceding the 2003-2004 school year. For purposes of this
15 subsection (H), the term "Low-Income Concentration Level"
16 shall be the low-income eligible pupil count from the most
17 recently available federal census divided by the Average Daily
18 Attendance of the school district. If, however, (i) the
19 percentage decrease from the 2 most recent federal censuses in
20 the low-income eligible pupil count of a high school district
21 with fewer than 400 students exceeds by 75% or more the
22 percentage change in the total low-income eligible pupil count
23 of contiguous elementary school districts, whose boundaries
24 are coterminous with the high school district, or (ii) a high
25 school district within 2 counties and serving 5 elementary
26 school districts, whose boundaries are coterminous with the

1 high school district, has a percentage decrease from the 2 most
2 recent federal censuses in the low-income eligible pupil count
3 and there is a percentage increase in the total low-income
4 eligible pupil count of a majority of the elementary school
5 districts in excess of 50% from the 2 most recent federal
6 censuses, then the high school district's low-income eligible
7 pupil count from the earlier federal census shall be the number
8 used as the low-income eligible pupil count for the high school
9 district, for purposes of this subsection (H). The changes made
10 to this paragraph (1) by Public Act 92-28 shall apply to
11 supplemental general State aid grants for school years
12 preceding the 2003-2004 school year that are paid in fiscal
13 year 1999 or thereafter and to any State aid payments made in
14 fiscal year 1994 through fiscal year 1998 pursuant to
15 subsection 1(n) of Section 18-8 of this Code (which was
16 repealed on July 1, 1998), and any high school district that is
17 affected by Public Act 92-28 is entitled to a recomputation of
18 its supplemental general State aid grant or State aid paid in
19 any of those fiscal years. This recomputation shall not be
20 affected by any other funding.

21 (1.10) This paragraph (1.10) applies to the 2003-2004
22 school year and each school year thereafter. For purposes of
23 this subsection (H), the term "Low-Income Concentration Level"
24 shall, for each fiscal year, be the low-income eligible pupil
25 count as of July 1 of the immediately preceding fiscal year (as
26 determined by the Department of Human Services based on the

1 number of pupils who are eligible for at least one of the
2 following low income programs: Medicaid, the Children's Health
3 Insurance Program, TANF, or Food Stamps, excluding pupils who
4 are eligible for services provided by the Department of
5 Children and Family Services, averaged over the 2 immediately
6 preceding fiscal years for fiscal year 2004 and over the 3
7 immediately preceding fiscal years for each fiscal year
8 thereafter) divided by the Average Daily Attendance of the
9 school district.

10 (2) Supplemental general State aid pursuant to this
11 subsection (H) shall be provided as follows for the 1998-1999,
12 1999-2000, and 2000-2001 school years only:

13 (a) For any school district with a Low Income
14 Concentration Level of at least 20% and less than 35%, the
15 grant for any school year shall be \$800 multiplied by the
16 low income eligible pupil count.

17 (b) For any school district with a Low Income
18 Concentration Level of at least 35% and less than 50%, the
19 grant for the 1998-1999 school year shall be \$1,100
20 multiplied by the low income eligible pupil count.

21 (c) For any school district with a Low Income
22 Concentration Level of at least 50% and less than 60%, the
23 grant for the 1998-99 school year shall be \$1,500
24 multiplied by the low income eligible pupil count.

25 (d) For any school district with a Low Income
26 Concentration Level of 60% or more, the grant for the

1 1998-99 school year shall be \$1,900 multiplied by the low
2 income eligible pupil count.

3 (e) For the 1999-2000 school year, the per pupil amount
4 specified in subparagraphs (b), (c), and (d) immediately
5 above shall be increased to \$1,243, \$1,600, and \$2,000,
6 respectively.

7 (f) For the 2000-2001 school year, the per pupil
8 amounts specified in subparagraphs (b), (c), and (d)
9 immediately above shall be \$1,273, \$1,640, and \$2,050,
10 respectively.

11 (2.5) Supplemental general State aid pursuant to this
12 subsection (H) shall be provided as follows for the 2002-2003
13 school year:

14 (a) For any school district with a Low Income
15 Concentration Level of less than 10%, the grant for each
16 school year shall be \$355 multiplied by the low income
17 eligible pupil count.

18 (b) For any school district with a Low Income
19 Concentration Level of at least 10% and less than 20%, the
20 grant for each school year shall be \$675 multiplied by the
21 low income eligible pupil count.

22 (c) For any school district with a Low Income
23 Concentration Level of at least 20% and less than 35%, the
24 grant for each school year shall be \$1,330 multiplied by
25 the low income eligible pupil count.

26 (d) For any school district with a Low Income

1 Concentration Level of at least 35% and less than 50%, the
2 grant for each school year shall be \$1,362 multiplied by
3 the low income eligible pupil count.

4 (e) For any school district with a Low Income
5 Concentration Level of at least 50% and less than 60%, the
6 grant for each school year shall be \$1,680 multiplied by
7 the low income eligible pupil count.

8 (f) For any school district with a Low Income
9 Concentration Level of 60% or more, the grant for each
10 school year shall be \$2,080 multiplied by the low income
11 eligible pupil count.

12 (2.10) Except as otherwise provided, supplemental general
13 State aid pursuant to this subsection (H) shall be provided as
14 follows for the 2003-2004 school year and each school year
15 thereafter:

16 (a) For any school district with a Low Income
17 Concentration Level of 15% or less, the grant for each
18 school year shall be \$355 multiplied by the low income
19 eligible pupil count.

20 (b) For any school district with a Low Income
21 Concentration Level greater than 15%, the grant for each
22 school year shall be \$294.25 added to the product of \$2,700
23 and the square of the Low Income Concentration Level, all
24 multiplied by the low income eligible pupil count.

25 For the 2003-2004 school year and each school year
26 thereafter through the 2008-2009 school year only, the grant

1 shall be no less than the grant for the 2002-2003 school year.
2 For the 2009-2010 school year only, the grant shall be no less
3 than the grant for the 2002-2003 school year multiplied by
4 0.66. For the 2010-2011 school year only, the grant shall be no
5 less than the grant for the 2002-2003 school year multiplied by
6 0.33. Notwithstanding the provisions of this paragraph to the
7 contrary, if for any school year supplemental general State aid
8 grants are prorated as provided in paragraph (1) of this
9 subsection (H), then the grants under this paragraph shall be
10 prorated.

11 For the 2003-2004 school year only, the grant shall be no
12 greater than the grant received during the 2002-2003 school
13 year added to the product of 0.25 multiplied by the difference
14 between the grant amount calculated under subsection (a) or (b)
15 of this paragraph (2.10), whichever is applicable, and the
16 grant received during the 2002-2003 school year. For the
17 2004-2005 school year only, the grant shall be no greater than
18 the grant received during the 2002-2003 school year added to
19 the product of 0.50 multiplied by the difference between the
20 grant amount calculated under subsection (a) or (b) of this
21 paragraph (2.10), whichever is applicable, and the grant
22 received during the 2002-2003 school year. For the 2005-2006
23 school year only, the grant shall be no greater than the grant
24 received during the 2002-2003 school year added to the product
25 of 0.75 multiplied by the difference between the grant amount
26 calculated under subsection (a) or (b) of this paragraph

1 (2.10), whichever is applicable, and the grant received during
2 the 2002-2003 school year.

3 (3) School districts with an Average Daily Attendance of
4 more than 1,000 and less than 50,000 that qualify for
5 supplemental general State aid pursuant to this subsection
6 shall submit a plan to the State Board of Education prior to
7 October 30 of each year for the use of the funds resulting from
8 this grant of supplemental general State aid for the
9 improvement of instruction in which priority is given to
10 meeting the education needs of disadvantaged children. Such
11 plan shall be submitted in accordance with rules and
12 regulations promulgated by the State Board of Education.

13 (4) School districts with an Average Daily Attendance of
14 50,000 or more that qualify for supplemental general State aid
15 pursuant to this subsection shall be required to distribute
16 from funds available pursuant to this Section, no less than
17 \$261,000,000 in accordance with the following requirements:

18 (a) The required amounts shall be distributed to the
19 attendance centers within the district in proportion to the
20 number of pupils enrolled at each attendance center who are
21 eligible to receive free or reduced-price lunches or
22 breakfasts under the federal Child Nutrition Act of 1966
23 and under the National School Lunch Act during the
24 immediately preceding school year.

25 (b) The distribution of these portions of supplemental
26 and general State aid among attendance centers according to

1 these requirements shall not be compensated for or
2 contravened by adjustments of the total of other funds
3 appropriated to any attendance centers, and the Board of
4 Education shall utilize funding from one or several sources
5 in order to fully implement this provision annually prior
6 to the opening of school.

7 (c) Each attendance center shall be provided by the
8 school district a distribution of noncategorical funds and
9 other categorical funds to which an attendance center is
10 entitled under law in order that the general State aid and
11 supplemental general State aid provided by application of
12 this subsection supplements rather than supplants the
13 noncategorical funds and other categorical funds provided
14 by the school district to the attendance centers.

15 (d) Any funds made available under this subsection that
16 by reason of the provisions of this subsection are not
17 required to be allocated and provided to attendance centers
18 may be used and appropriated by the board of the district
19 for any lawful school purpose.

20 (e) Funds received by an attendance center pursuant to
21 this subsection shall be used by the attendance center at
22 the discretion of the principal and local school council
23 for programs to improve educational opportunities at
24 qualifying schools through the following programs and
25 services: early childhood education, reduced class size or
26 improved adult to student classroom ratio, enrichment

1 programs, remedial assistance, attendance improvement, and
2 other educationally beneficial expenditures which
3 supplement the regular and basic programs as determined by
4 the State Board of Education. Funds provided shall not be
5 expended for any political or lobbying purposes as defined
6 by board rule.

7 (f) Each district subject to the provisions of this
8 subdivision (H) (4) shall submit an acceptable plan to meet
9 the educational needs of disadvantaged children, in
10 compliance with the requirements of this paragraph, to the
11 State Board of Education prior to July 15 of each year.
12 This plan shall be consistent with the decisions of local
13 school councils concerning the school expenditure plans
14 developed in accordance with part 4 of Section 34-2.3. The
15 State Board shall approve or reject the plan within 60 days
16 after its submission. If the plan is rejected, the district
17 shall give written notice of intent to modify the plan
18 within 15 days of the notification of rejection and then
19 submit a modified plan within 30 days after the date of the
20 written notice of intent to modify. Districts may amend
21 approved plans pursuant to rules promulgated by the State
22 Board of Education.

23 Upon notification by the State Board of Education that
24 the district has not submitted a plan prior to July 15 or a
25 modified plan within the time period specified herein, the
26 State aid funds affected by that plan or modified plan

1 shall be withheld by the State Board of Education until a
2 plan or modified plan is submitted.

3 If the district fails to distribute State aid to
4 attendance centers in accordance with an approved plan, the
5 plan for the following year shall allocate funds, in
6 addition to the funds otherwise required by this
7 subsection, to those attendance centers which were
8 underfunded during the previous year in amounts equal to
9 such underfunding.

10 For purposes of determining compliance with this
11 subsection in relation to the requirements of attendance
12 center funding, each district subject to the provisions of
13 this subsection shall submit as a separate document by
14 December 1 of each year a report of expenditure data for
15 the prior year in addition to any modification of its
16 current plan. If it is determined that there has been a
17 failure to comply with the expenditure provisions of this
18 subsection regarding contravention or supplanting, the
19 State Superintendent of Education shall, within 60 days of
20 receipt of the report, notify the district and any affected
21 local school council. The district shall within 45 days of
22 receipt of that notification inform the State
23 Superintendent of Education of the remedial or corrective
24 action to be taken, whether by amendment of the current
25 plan, if feasible, or by adjustment in the plan for the
26 following year. Failure to provide the expenditure report

1 or the notification of remedial or corrective action in a
2 timely manner shall result in a withholding of the affected
3 funds.

4 The State Board of Education shall promulgate rules and
5 regulations to implement the provisions of this
6 subsection. No funds shall be released under this
7 subdivision (H) (4) to any district that has not submitted a
8 plan that has been approved by the State Board of
9 Education.

10 (I) (Blank).

11 (J) Supplementary Grants in Aid.

12 (1) Notwithstanding any other provisions of this Section,
13 the amount of the aggregate general State aid in combination
14 with supplemental general State aid under this Section for
15 which each school district is eligible shall be no less than
16 the amount of the aggregate general State aid entitlement that
17 was received by the district under Section 18-8 (exclusive of
18 amounts received under subsections 5(p) and 5(p-5) of that
19 Section) for the 1997-98 school year, pursuant to the
20 provisions of that Section as it was then in effect. If a
21 school district qualifies to receive a supplementary payment
22 made under this subsection (J), the amount of the aggregate
23 general State aid in combination with supplemental general
24 State aid under this Section which that district is eligible to

1 receive for each school year shall be no less than the amount
2 of the aggregate general State aid entitlement that was
3 received by the district under Section 18-8 (exclusive of
4 amounts received under subsections 5(p) and 5(p-5) of that
5 Section) for the 1997-1998 school year, pursuant to the
6 provisions of that Section as it was then in effect.

7 (2) If, as provided in paragraph (1) of this subsection
8 (J), a school district is to receive aggregate general State
9 aid in combination with supplemental general State aid under
10 this Section for the 1998-99 school year and any subsequent
11 school year that in any such school year is less than the
12 amount of the aggregate general State aid entitlement that the
13 district received for the 1997-98 school year, the school
14 district shall also receive, from a separate appropriation made
15 for purposes of this subsection (J), a supplementary payment
16 that is equal to the amount of the difference in the aggregate
17 State aid figures as described in paragraph (1).

18 (3) (Blank).

19 (K) Grants to Laboratory and Alternative Schools.

20 In calculating the amount to be paid to the governing board
21 of a public university that operates a laboratory school under
22 this Section or to any alternative school that is operated by a
23 regional superintendent of schools, the State Board of
24 Education shall require by rule such reporting requirements as
25 it deems necessary.

1 As used in this Section, "laboratory school" means a public
2 school which is created and operated by a public university and
3 approved by the State Board of Education. The governing board
4 of a public university which receives funds from the State
5 Board under this subsection (K) may not increase the number of
6 students enrolled in its laboratory school from a single
7 district, if that district is already sending 50 or more
8 students, except under a mutual agreement between the school
9 board of a student's district of residence and the university
10 which operates the laboratory school. A laboratory school may
11 not have more than 1,000 students, excluding students with
12 disabilities in a special education program.

13 As used in this Section, "alternative school" means a
14 public school which is created and operated by a Regional
15 Superintendent of Schools and approved by the State Board of
16 Education. Such alternative schools may offer courses of
17 instruction for which credit is given in regular school
18 programs, courses to prepare students for the high school
19 equivalency testing program or vocational and occupational
20 training. A regional superintendent of schools may contract
21 with a school district or a public community college district
22 to operate an alternative school. An alternative school serving
23 more than one educational service region may be established by
24 the regional superintendents of schools of the affected
25 educational service regions. An alternative school serving
26 more than one educational service region may be operated under

1 such terms as the regional superintendents of schools of those
2 educational service regions may agree.

3 Each laboratory and alternative school shall file, on forms
4 provided by the State Superintendent of Education, an annual
5 State aid claim which states the Average Daily Attendance of
6 the school's students by month. The best 3 months' Average
7 Daily Attendance shall be computed for each school. The general
8 State aid entitlement shall be computed by multiplying the
9 applicable Average Daily Attendance by the Foundation Level as
10 determined under this Section.

11 (L) Payments, Additional Grants in Aid and Other Requirements.

12 (1) For a school district operating under the financial
13 supervision of an Authority created under Article 34A, the
14 general State aid otherwise payable to that district under this
15 Section, but not the supplemental general State aid, shall be
16 reduced by an amount equal to the budget for the operations of
17 the Authority as certified by the Authority to the State Board
18 of Education, and an amount equal to such reduction shall be
19 paid to the Authority created for such district for its
20 operating expenses in the manner provided in Section 18-11. The
21 remainder of general State school aid for any such district
22 shall be paid in accordance with Article 34A when that Article
23 provides for a disposition other than that provided by this
24 Article.

25 (2) (Blank).

1 (3) Summer school. Summer school payments shall be made as
2 provided in Section 18-4.3.

3 (M) Education Funding Advisory Board.

4 The Education Funding Advisory Board, hereinafter in this
5 subsection (M) referred to as the "Board", is hereby created.
6 The Board shall consist of 5 members who are appointed by the
7 Governor, by and with the advice and consent of the Senate. The
8 members appointed shall include representatives of education,
9 business, and the general public. One of the members so
10 appointed shall be designated by the Governor at the time the
11 appointment is made as the chairperson of the Board. The
12 initial members of the Board may be appointed any time after
13 the effective date of this amendatory Act of 1997. The regular
14 term of each member of the Board shall be for 4 years from the
15 third Monday of January of the year in which the term of the
16 member's appointment is to commence, except that of the 5
17 initial members appointed to serve on the Board, the member who
18 is appointed as the chairperson shall serve for a term that
19 commences on the date of his or her appointment and expires on
20 the third Monday of January, 2002, and the remaining 4 members,
21 by lots drawn at the first meeting of the Board that is held
22 after all 5 members are appointed, shall determine 2 of their
23 number to serve for terms that commence on the date of their
24 respective appointments and expire on the third Monday of
25 January, 2001, and 2 of their number to serve for terms that

1 commence on the date of their respective appointments and
2 expire on the third Monday of January, 2000. All members
3 appointed to serve on the Board shall serve until their
4 respective successors are appointed and confirmed. Vacancies
5 shall be filled in the same manner as original appointments. If
6 a vacancy in membership occurs at a time when the Senate is not
7 in session, the Governor shall make a temporary appointment
8 until the next meeting of the Senate, when he or she shall
9 appoint, by and with the advice and consent of the Senate, a
10 person to fill that membership for the unexpired term. If the
11 Senate is not in session when the initial appointments are
12 made, those appointments shall be made as in the case of
13 vacancies.

14 The Education Funding Advisory Board shall be deemed
15 established, and the initial members appointed by the Governor
16 to serve as members of the Board shall take office, on the date
17 that the Governor makes his or her appointment of the fifth
18 initial member of the Board, whether those initial members are
19 then serving pursuant to appointment and confirmation or
20 pursuant to temporary appointments that are made by the
21 Governor as in the case of vacancies.

22 The State Board of Education shall provide such staff
23 assistance to the Education Funding Advisory Board as is
24 reasonably required for the proper performance by the Board of
25 its responsibilities.

26 For school years after the 2000-2001 school year, the

1 Education Funding Advisory Board, in consultation with the
2 State Board of Education, shall make recommendations as
3 provided in this subsection (M) to the General Assembly for the
4 foundation level under subdivision (B)(3) of this Section and
5 for the supplemental general State aid grant level under
6 subsection (H) of this Section for districts with high
7 concentrations of children from poverty. The recommended
8 foundation level shall be determined based on a methodology
9 which incorporates the basic education expenditures of
10 low-spending schools exhibiting high academic performance. The
11 Education Funding Advisory Board shall make such
12 recommendations to the General Assembly on January 1 of odd
13 numbered years, beginning January 1, 2001.

14 (N) (Blank).

15 (O) References.

16 (1) References in other laws to the various subdivisions of
17 Section 18-8 as that Section existed before its repeal and
18 replacement by this Section 18-8.05 shall be deemed to refer to
19 the corresponding provisions of this Section 18-8.05, to the
20 extent that those references remain applicable.

21 (2) References in other laws to State Chapter 1 funds shall
22 be deemed to refer to the supplemental general State aid
23 provided under subsection (H) of this Section.

1 (P) Public Act 93-838 and Public Act 93-808 make inconsistent
2 changes to this Section. Under Section 6 of the Statute on
3 Statutes there is an irreconcilable conflict between Public Act
4 93-808 and Public Act 93-838. Public Act 93-838, being the last
5 acted upon, is controlling. The text of Public Act 93-838 is
6 the law regardless of the text of Public Act 93-808.

7 (Source: P.A. 95-331, eff. 8-21-07; 95-644, eff. 10-12-07;
8 95-707, eff. 1-11-08; 95-744, eff. 7-18-08; 95-903, eff.
9 8-25-08; 96-45, eff. 7-15-09; 96-152, eff. 8-7-09; 96-300, eff.
10 8-11-09; 96-328, eff. 8-11-09; 96-640, eff. 8-24-09; revised
11 10-23-09.)

12 Section 5-48. The Illinois Public Aid Code is amended by
13 changing Sections 5-5.4 and 5-5.4d as follows:

14 (305 ILCS 5/5-5.4) (from Ch. 23, par. 5-5.4)

15 (Text of Section after amendment by P.A. 96-339)

16 Sec. 5-5.4. Standards of Payment - Department of Healthcare
17 and Family Services. The Department of Healthcare and Family
18 Services shall develop standards of payment of skilled nursing
19 and intermediate care services in facilities providing such
20 services under this Article which:

21 (1) Provide for the determination of a facility's payment
22 for skilled nursing and intermediate care services on a
23 prospective basis. The amount of the payment rate for all
24 nursing facilities certified by the Department of Public Health

1 under the MR/DD Community Care Act or the Nursing Home Care Act
2 as Intermediate Care for the Developmentally Disabled
3 facilities, Long Term Care for Under Age 22 facilities, Skilled
4 Nursing facilities, or Intermediate Care facilities under the
5 medical assistance program shall be prospectively established
6 annually on the basis of historical, financial, and statistical
7 data reflecting actual costs from prior years, which shall be
8 applied to the current rate year and updated for inflation,
9 except that the capital cost element for newly constructed
10 facilities shall be based upon projected budgets. The annually
11 established payment rate shall take effect on July 1 in 1984
12 and subsequent years. No rate increase and no update for
13 inflation shall be provided on or after July 1, 1994 and before
14 July 1, 2011 ~~2010~~, unless specifically provided for in this
15 Section. The changes made by Public Act 93-841 extending the
16 duration of the prohibition against a rate increase or update
17 for inflation are effective retroactive to July 1, 2004.

18 For facilities licensed by the Department of Public Health
19 under the Nursing Home Care Act as Intermediate Care for the
20 Developmentally Disabled facilities or Long Term Care for Under
21 Age 22 facilities, the rates taking effect on July 1, 1998
22 shall include an increase of 3%. For facilities licensed by the
23 Department of Public Health under the Nursing Home Care Act as
24 Skilled Nursing facilities or Intermediate Care facilities,
25 the rates taking effect on July 1, 1998 shall include an
26 increase of 3% plus \$1.10 per resident-day, as defined by the

1 Department. For facilities licensed by the Department of Public
2 Health under the Nursing Home Care Act as Intermediate Care
3 Facilities for the Developmentally Disabled or Long Term Care
4 for Under Age 22 facilities, the rates taking effect on January
5 1, 2006 shall include an increase of 3%. For facilities
6 licensed by the Department of Public Health under the Nursing
7 Home Care Act as Intermediate Care Facilities for the
8 Developmentally Disabled or Long Term Care for Under Age 22
9 facilities, the rates taking effect on January 1, 2009 shall
10 include an increase sufficient to provide a \$0.50 per hour wage
11 increase for non-executive staff.

12 For facilities licensed by the Department of Public Health
13 under the Nursing Home Care Act as Intermediate Care for the
14 Developmentally Disabled facilities or Long Term Care for Under
15 Age 22 facilities, the rates taking effect on July 1, 1999
16 shall include an increase of 1.6% plus \$3.00 per resident-day,
17 as defined by the Department. For facilities licensed by the
18 Department of Public Health under the Nursing Home Care Act as
19 Skilled Nursing facilities or Intermediate Care facilities,
20 the rates taking effect on July 1, 1999 shall include an
21 increase of 1.6% and, for services provided on or after October
22 1, 1999, shall be increased by \$4.00 per resident-day, as
23 defined by the Department.

24 For facilities licensed by the Department of Public Health
25 under the Nursing Home Care Act as Intermediate Care for the
26 Developmentally Disabled facilities or Long Term Care for Under

1 Age 22 facilities, the rates taking effect on July 1, 2000
2 shall include an increase of 2.5% per resident-day, as defined
3 by the Department. For facilities licensed by the Department of
4 Public Health under the Nursing Home Care Act as Skilled
5 Nursing facilities or Intermediate Care facilities, the rates
6 taking effect on July 1, 2000 shall include an increase of 2.5%
7 per resident-day, as defined by the Department.

8 For facilities licensed by the Department of Public Health
9 under the Nursing Home Care Act as skilled nursing facilities
10 or intermediate care facilities, a new payment methodology must
11 be implemented for the nursing component of the rate effective
12 July 1, 2003. The Department of Public Aid (now Healthcare and
13 Family Services) shall develop the new payment methodology
14 using the Minimum Data Set (MDS) as the instrument to collect
15 information concerning nursing home resident condition
16 necessary to compute the rate. The Department shall develop the
17 new payment methodology to meet the unique needs of Illinois
18 nursing home residents while remaining subject to the
19 appropriations provided by the General Assembly. A transition
20 period from the payment methodology in effect on June 30, 2003
21 to the payment methodology in effect on July 1, 2003 shall be
22 provided for a period not exceeding 3 years and 184 days after
23 implementation of the new payment methodology as follows:

24 (A) For a facility that would receive a lower nursing
25 component rate per patient day under the new system than
26 the facility received effective on the date immediately

1 preceding the date that the Department implements the new
2 payment methodology, the nursing component rate per
3 patient day for the facility shall be held at the level in
4 effect on the date immediately preceding the date that the
5 Department implements the new payment methodology until a
6 higher nursing component rate of reimbursement is achieved
7 by that facility.

8 (B) For a facility that would receive a higher nursing
9 component rate per patient day under the payment
10 methodology in effect on July 1, 2003 than the facility
11 received effective on the date immediately preceding the
12 date that the Department implements the new payment
13 methodology, the nursing component rate per patient day for
14 the facility shall be adjusted.

15 (C) Notwithstanding paragraphs (A) and (B), the
16 nursing component rate per patient day for the facility
17 shall be adjusted subject to appropriations provided by the
18 General Assembly.

19 For facilities licensed by the Department of Public Health
20 under the Nursing Home Care Act as Intermediate Care for the
21 Developmentally Disabled facilities or Long Term Care for Under
22 Age 22 facilities, the rates taking effect on March 1, 2001
23 shall include a statewide increase of 7.85%, as defined by the
24 Department.

25 Notwithstanding any other provision of this Section, for
26 facilities licensed by the Department of Public Health under

1 the Nursing Home Care Act as skilled nursing facilities or
2 intermediate care facilities, the numerator of the ratio used
3 by the Department of Healthcare and Family Services to compute
4 the rate payable under this Section using the Minimum Data Set
5 (MDS) methodology shall incorporate the following annual
6 amounts as the additional funds appropriated to the Department
7 specifically to pay for rates based on the MDS nursing
8 component methodology in excess of the funding in effect on
9 December 31, 2006:

10 (i) For rates taking effect January 1, 2007,
11 \$60,000,000.

12 (ii) For rates taking effect January 1, 2008,
13 \$110,000,000.

14 (iii) For rates taking effect January 1, 2009,
15 \$194,000,000.

16 Notwithstanding any other provision of this Section, for
17 facilities licensed by the Department of Public Health under
18 the Nursing Home Care Act as skilled nursing facilities or
19 intermediate care facilities, the support component of the
20 rates taking effect on January 1, 2008 shall be computed using
21 the most recent cost reports on file with the Department of
22 Healthcare and Family Services no later than April 1, 2005,
23 updated for inflation to January 1, 2006.

24 For facilities licensed by the Department of Public Health
25 under the Nursing Home Care Act as Intermediate Care for the
26 Developmentally Disabled facilities or Long Term Care for Under

1 Age 22 facilities, the rates taking effect on April 1, 2002
2 shall include a statewide increase of 2.0%, as defined by the
3 Department. This increase terminates on July 1, 2002; beginning
4 July 1, 2002 these rates are reduced to the level of the rates
5 in effect on March 31, 2002, as defined by the Department.

6 For facilities licensed by the Department of Public Health
7 under the Nursing Home Care Act as skilled nursing facilities
8 or intermediate care facilities, the rates taking effect on
9 July 1, 2001 shall be computed using the most recent cost
10 reports on file with the Department of Public Aid no later than
11 April 1, 2000, updated for inflation to January 1, 2001. For
12 rates effective July 1, 2001 only, rates shall be the greater
13 of the rate computed for July 1, 2001 or the rate effective on
14 June 30, 2001.

15 Notwithstanding any other provision of this Section, for
16 facilities licensed by the Department of Public Health under
17 the Nursing Home Care Act as skilled nursing facilities or
18 intermediate care facilities, the Illinois Department shall
19 determine by rule the rates taking effect on July 1, 2002,
20 which shall be 5.9% less than the rates in effect on June 30,
21 2002.

22 Notwithstanding any other provision of this Section, for
23 facilities licensed by the Department of Public Health under
24 the Nursing Home Care Act as skilled nursing facilities or
25 intermediate care facilities, if the payment methodologies
26 required under Section 5A-12 and the waiver granted under 42

1 CFR 433.68 are approved by the United States Centers for
2 Medicare and Medicaid Services, the rates taking effect on July
3 1, 2004 shall be 3.0% greater than the rates in effect on June
4 30, 2004. These rates shall take effect only upon approval and
5 implementation of the payment methodologies required under
6 Section 5A-12.

7 Notwithstanding any other provisions of this Section, for
8 facilities licensed by the Department of Public Health under
9 the Nursing Home Care Act as skilled nursing facilities or
10 intermediate care facilities, the rates taking effect on
11 January 1, 2005 shall be 3% more than the rates in effect on
12 December 31, 2004.

13 Notwithstanding any other provision of this Section, for
14 facilities licensed by the Department of Public Health under
15 the Nursing Home Care Act as skilled nursing facilities or
16 intermediate care facilities, effective January 1, 2009, the
17 per diem support component of the rates effective on January 1,
18 2008, computed using the most recent cost reports on file with
19 the Department of Healthcare and Family Services no later than
20 April 1, 2005, updated for inflation to January 1, 2006, shall
21 be increased to the amount that would have been derived using
22 standard Department of Healthcare and Family Services methods,
23 procedures, and inflators.

24 Notwithstanding any other provisions of this Section, for
25 facilities licensed by the Department of Public Health under
26 the Nursing Home Care Act as intermediate care facilities that

1 are federally defined as Institutions for Mental Disease, a
2 socio-development component rate equal to 6.6% of the
3 facility's nursing component rate as of January 1, 2006 shall
4 be established and paid effective July 1, 2006. The
5 socio-development component of the rate shall be increased by a
6 factor of 2.53 on the first day of the month that begins at
7 least 45 days after January 11, 2008 (the effective date of
8 Public Act 95-707). As of August 1, 2008, the socio-development
9 component rate shall be equal to 6.6% of the facility's nursing
10 component rate as of January 1, 2006, multiplied by a factor of
11 3.53. The Illinois Department may by rule adjust these
12 socio-development component rates, but in no case may such
13 rates be diminished.

14 For facilities licensed by the Department of Public Health
15 under the Nursing Home Care Act as Intermediate Care for the
16 Developmentally Disabled facilities or as long-term care
17 facilities for residents under 22 years of age, the rates
18 taking effect on July 1, 2003 shall include a statewide
19 increase of 4%, as defined by the Department.

20 For facilities licensed by the Department of Public Health
21 under the Nursing Home Care Act as Intermediate Care for the
22 Developmentally Disabled facilities or Long Term Care for Under
23 Age 22 facilities, the rates taking effect on the first day of
24 the month that begins at least 45 days after the effective date
25 of this amendatory Act of the 95th General Assembly shall
26 include a statewide increase of 2.5%, as defined by the

1 Department.

2 Notwithstanding any other provision of this Section, for
3 facilities licensed by the Department of Public Health under
4 the Nursing Home Care Act as skilled nursing facilities or
5 intermediate care facilities, effective January 1, 2005,
6 facility rates shall be increased by the difference between (i)
7 a facility's per diem property, liability, and malpractice
8 insurance costs as reported in the cost report filed with the
9 Department of Public Aid and used to establish rates effective
10 July 1, 2001 and (ii) those same costs as reported in the
11 facility's 2002 cost report. These costs shall be passed
12 through to the facility without caps or limitations, except for
13 adjustments required under normal auditing procedures.

14 Rates established effective each July 1 shall govern
15 payment for services rendered throughout that fiscal year,
16 except that rates established on July 1, 1996 shall be
17 increased by 6.8% for services provided on or after January 1,
18 1997. Such rates will be based upon the rates calculated for
19 the year beginning July 1, 1990, and for subsequent years
20 thereafter until June 30, 2001 shall be based on the facility
21 cost reports for the facility fiscal year ending at any point
22 in time during the previous calendar year, updated to the
23 midpoint of the rate year. The cost report shall be on file
24 with the Department no later than April 1 of the current rate
25 year. Should the cost report not be on file by April 1, the
26 Department shall base the rate on the latest cost report filed

1 by each skilled care facility and intermediate care facility,
2 updated to the midpoint of the current rate year. In
3 determining rates for services rendered on and after July 1,
4 1985, fixed time shall not be computed at less than zero. The
5 Department shall not make any alterations of regulations which
6 would reduce any component of the Medicaid rate to a level
7 below what that component would have been utilizing in the rate
8 effective on July 1, 1984.

9 (2) Shall take into account the actual costs incurred by
10 facilities in providing services for recipients of skilled
11 nursing and intermediate care services under the medical
12 assistance program.

13 (3) Shall take into account the medical and psycho-social
14 characteristics and needs of the patients.

15 (4) Shall take into account the actual costs incurred by
16 facilities in meeting licensing and certification standards
17 imposed and prescribed by the State of Illinois, any of its
18 political subdivisions or municipalities and by the U.S.
19 Department of Health and Human Services pursuant to Title XIX
20 of the Social Security Act.

21 The Department of Healthcare and Family Services shall
22 develop precise standards for payments to reimburse nursing
23 facilities for any utilization of appropriate rehabilitative
24 personnel for the provision of rehabilitative services which is
25 authorized by federal regulations, including reimbursement for
26 services provided by qualified therapists or qualified

1 assistants, and which is in accordance with accepted
2 professional practices. Reimbursement also may be made for
3 utilization of other supportive personnel under appropriate
4 supervision.

5 (Source: P.A. 95-12, eff. 7-2-07; 95-331, eff. 8-21-07; 95-707,
6 eff. 1-11-08; 95-744, eff. 7-18-08; 96-45, eff. 7-15-09;
7 96-339, eff. 7-1-10; revised 10-23-09.)

8 (305 ILCS 5/5-5.4d)

9 Sec. 5-5.4d. MDS payment methodology; quarterly rate
10 adjustments.

11 (a) On and after July 1, 2009, and until April 1, 2011, the
12 nursing component of the nursing facility medical assistance
13 rate computed under the Minimum Data Set (MDS) payment
14 methodology shall be calculated and adjusted quarterly. The
15 Department of Healthcare and Family Services may adopt rules
16 necessary to implement this amendatory Act of the 96th General
17 Assembly through the use of emergency rulemaking in accordance
18 with Section 5-45 of the Illinois Administrative Procedure Act,
19 except that the 24-month limitation on the adoption of
20 emergency rules under Section 5-45 and the provisions of
21 Sections 5-115 and 5-125 of that Act do not apply to rules
22 adopted under this Section. For purposes of that Act, the
23 General Assembly finds that the adoption of rules to implement
24 this amendatory Act of the 96th General Assembly is deemed an
25 emergency and necessary for the public interest, safety, and

1 welfare.

2 (b) On April 1, 2011, the nursing component of the nursing
3 facility medical assistance rate computed under the Minimum
4 Data Set (MDS) payment methodology shall be frozen to allow the
5 Department of Healthcare and Family Services to develop a rate
6 methodology based on a federally mandated long term care data
7 collection system. The rates in effect prior to and through the
8 quarter ending March 31, 2011, shall continue to be subject to
9 follow-up audits and retroactive rate adjustments pursuant to
10 administrative rules of the Department for reviews of accuracy
11 and resident assessment information. The reimbursement
12 methodology for a Class I Institution for Mental Diseases shall
13 also be frozen pending review of a federally mandated long term
14 care data collection system.

15 (Source: P.A. 96-743, eff. 8-25-09.)

16 Section 5-49. The Comprehensive Lead Education, Reduction,
17 and Window Replacement Program Act is amended by changing
18 Section 15 as follows:

19 (410 ILCS 43/15)

20 Sec. 15. Grant and loan program.

21 (a) Subject to appropriation, the Department, in
22 consultation with the Advisory Council, shall establish and
23 operate the CLEAR-WIN Program in two pilot area communities
24 selected by the Department with advice from the Advisory

1 Council. Pilot area communities shall be selected based upon
2 the prevalence of low-income families whose children are lead
3 poisoned, the age of the housing stock, and other sources of
4 funding available to the communities to address lead-based
5 paint hazards.

6 (b) The Department shall be responsible for administering
7 the CLEAR-WIN grant program. The grant shall be used to correct
8 lead-based paint hazards in residential buildings. Conditions
9 for receiving a grant shall be developed by the Department
10 based on criteria established by the Advisory Council.
11 Criteria, including but not limited to the following program
12 components, shall include (i) income eligibility for receipt of
13 the grants, with priority given to low-income tenants or owners
14 who rent to low-income tenants; (ii) properties to be covered
15 under CLEAR-WIN; and (iii) the number of units to be covered in
16 a property. Prior to making a grant, the Department must
17 provide the grant recipient with a copy of the Lead Safe
18 Housing Maintenance Standards generated by the Advisory
19 Council. The property owner must certify that he or she has
20 received the Standards and intends to comply with them; has
21 provided a copy of the Standards to all tenants in the
22 building; will continue to rent to the same tenant or other
23 low-income tenant for a period of not less than 5 years
24 following completion of the work; and will continue to maintain
25 the property as lead-safe. Failure to comply with the grant
26 conditions may result in repayment of grant funds.

1 (c) The Advisory Council shall also consider development of
2 a loan program to assist property owners not eligible for
3 grants.

4 (d) All lead-based paint hazard control work performed with
5 these grant or loan funds shall be conducted in conformance
6 with the Lead Poisoning Prevention Act and the Illinois Lead
7 Poisoning Prevention Code. Before contractors are paid for
8 repair work conducted under the CLEAR-WIN Program, each
9 dwelling unit assisted must be inspected by a lead risk
10 assessor or lead inspector licensed in Illinois, and an
11 appropriate number of dust samples must be collected from in
12 and around the work areas for lead analysis, with results in
13 compliance with levels set by the Lead Poisoning Prevention Act
14 and the Illinois Lead Poisoning Prevention Code. All costs of
15 evaluation shall be the responsibility of the property owner
16 who received the grant or loan, but will be provided for by the
17 Department for grant recipients and may be included in the
18 amount of the loan. Additional repairs and clean-up costs
19 associated with a failed clearance test, including follow-up
20 tests, shall be the responsibility of the contractor.

21 (e) Within 6 months after the effective date of this Act,
22 the Advisory Council shall recommend to the Department Lead
23 Safe Housing Maintenance Standards for purposes of the
24 CLEAR-WIN Program. Except for properties where all lead-based
25 paint has been removed, the standards shall describe the
26 responsibilities of property owners and tenants in maintaining

1 lead-safe housing, including but not limited to, prescribing
2 special cleaning, repair, and maintenance necessary to reduce
3 the chance that properties will cause lead poisoning in child
4 occupants. Recipients of CLEAR-WIN grants and loans shall be
5 required to continue to maintain their properties in compliance
6 with these Lead Safe Housing Maintenance Standards. Failure to
7 maintain properties in accordance with these Standards may
8 result in repayment of grant funds or termination of the loan.

9 (f) From funds appropriated, the Department may pay grants
10 and reasonable administrative costs.

11 (Source: P.A. 95-492, eff. 1-1-08.)

12 ARTICLE 10. PENSION CONTRIBUTIONS

13 Section 10-5. The State Finance Act is amended by changing
14 Section 8.12 as follows:

15 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

16 Sec. 8.12. State Pensions Fund.

17 (a) The moneys in the State Pensions Fund shall be used
18 exclusively for the administration of the Uniform Disposition
19 of Unclaimed Property Act and for the funding of the unfunded
20 liabilities of the designated retirement systems. Payments to
21 the designated retirement systems under this Section shall be
22 in addition to, and not in lieu of, any State contributions
23 required under the Illinois Pension Code.

1 "Designated retirement systems" means:

2 (1) the State Employees' Retirement System of
3 Illinois;

4 (2) the Teachers' Retirement System of the State of
5 Illinois;

6 (3) the State Universities Retirement System;

7 (4) the Judges Retirement System of Illinois; and

8 (5) the General Assembly Retirement System.

9 (b) Each year the General Assembly may make appropriations
10 from the State Pensions Fund for the administration of the
11 Uniform Disposition of Unclaimed Property Act.

12 Each month, the Commissioner of the Office of Banks and
13 Real Estate shall certify to the State Treasurer the actual
14 expenditures that the Office of Banks and Real Estate incurred
15 conducting unclaimed property examinations under the Uniform
16 Disposition of Unclaimed Property Act during the immediately
17 preceding month. Within a reasonable time following the
18 acceptance of such certification by the State Treasurer, the
19 State Treasurer shall pay from its appropriation from the State
20 Pensions Fund to the Bank and Trust Company Fund and the
21 Savings and Residential Finance Regulatory Fund an amount equal
22 to the expenditures incurred by each Fund for that month.

23 Each month, the Director of Financial Institutions shall
24 certify to the State Treasurer the actual expenditures that the
25 Department of Financial Institutions incurred conducting
26 unclaimed property examinations under the Uniform Disposition

1 of Unclaimed Property Act during the immediately preceding
2 month. Within a reasonable time following the acceptance of
3 such certification by the State Treasurer, the State Treasurer
4 shall pay from its appropriation from the State Pensions Fund
5 to the Financial Institutions Fund and the Credit Union Fund an
6 amount equal to the expenditures incurred by each Fund for that
7 month.

8 (c) As soon as possible after the effective date of this
9 amendatory Act of the 93rd General Assembly, the General
10 Assembly shall appropriate from the State Pensions Fund (1) to
11 the State Universities Retirement System the amount certified
12 under Section 15-165 during the prior year, (2) to the Judges
13 Retirement System of Illinois the amount certified under
14 Section 18-140 during the prior year, and (3) to the General
15 Assembly Retirement System the amount certified under Section
16 2-134 during the prior year as part of the required State
17 contributions to each of those designated retirement systems;
18 except that amounts appropriated under this subsection (c) in
19 State fiscal year 2005 shall not reduce the amount in the State
20 Pensions Fund below \$5,000,000. If the amount in the State
21 Pensions Fund does not exceed the sum of the amounts certified
22 in Sections 15-165, 18-140, and 2-134 by at least \$5,000,000,
23 the amount paid to each designated retirement system under this
24 subsection shall be reduced in proportion to the amount
25 certified by each of those designated retirement systems.

26 (c-5) For fiscal years 2006, 2007, 2008, 2009, ~~and~~ 2010, and

1 and 2011 the General Assembly shall appropriate from the State
2 Pensions Fund to the State Universities Retirement System the
3 amount estimated to be available during the fiscal year in the
4 State Pensions Fund; provided, however, that the amounts
5 appropriated under this subsection (c-5) shall not reduce the
6 amount in the State Pensions Fund below \$5,000,000.

7 (c-6) For fiscal year 2012 ~~2011~~ and each fiscal year
8 thereafter, as soon as may be practical after any money is
9 deposited into the State Pensions Fund from the Unclaimed
10 Property Trust Fund, the State Treasurer shall apportion the
11 deposited amount among the designated retirement systems as
12 defined in subsection (a) to reduce their actuarial reserve
13 deficiencies. The State Comptroller and State Treasurer shall
14 pay the apportioned amounts to the designated retirement
15 systems to fund the unfunded liabilities of the designated
16 retirement systems. The amount apportioned to each designated
17 retirement system shall constitute a portion of the amount
18 estimated to be available for appropriation from the State
19 Pensions Fund that is the same as that retirement system's
20 portion of the total actual reserve deficiency of the systems,
21 as determined annually by the Governor's Office of Management
22 and Budget at the request of the State Treasurer. The amounts
23 apportioned under this subsection shall not reduce the amount
24 in the State Pensions Fund below \$5,000,000.

25 (d) The Governor's Office of Management and Budget shall
26 determine the individual and total reserve deficiencies of the

1 designated retirement systems. For this purpose, the
2 Governor's Office of Management and Budget shall utilize the
3 latest available audit and actuarial reports of each of the
4 retirement systems and the relevant reports and statistics of
5 the Public Employee Pension Fund Division of the Department of
6 Insurance.

7 (d-1) As soon as practicable after the effective date of
8 this amendatory Act of the 93rd General Assembly, the
9 Comptroller shall direct and the Treasurer shall transfer from
10 the State Pensions Fund to the General Revenue Fund, as funds
11 become available, a sum equal to the amounts that would have
12 been paid from the State Pensions Fund to the Teachers'
13 Retirement System of the State of Illinois, the State
14 Universities Retirement System, the Judges Retirement System
15 of Illinois, the General Assembly Retirement System, and the
16 State Employees' Retirement System of Illinois after the
17 effective date of this amendatory Act during the remainder of
18 fiscal year 2004 to the designated retirement systems from the
19 appropriations provided for in this Section if the transfers
20 provided in Section 6z-61 had not occurred. The transfers
21 described in this subsection (d-1) are to partially repay the
22 General Revenue Fund for the costs associated with the bonds
23 used to fund the moneys transferred to the designated
24 retirement systems under Section 6z-61.

25 (e) The changes to this Section made by this amendatory Act
26 of 1994 shall first apply to distributions from the Fund for

1 State fiscal year 1996.

2 (Source: P.A. 94-91, eff. 7-1-05; 95-950, eff. 8-29-08.)

3 Section 10-10. The State Pension Funds Continuing
4 Appropriation Act is amended by changing Section 1 as follows:

5 (40 ILCS 15/1)

6 Sec. 1. Appropriations from State Pensions Fund.

7 (a) For the purpose of making up any deficiency in the
8 appropriations to the designated retirement systems that are
9 required to be made under Section 8.12 of the State Finance
10 Act, there is hereby appropriated, on a continuing annual basis
11 in each fiscal year, from the State Pensions Fund to each
12 designated retirement system, the amount, if any, by which the
13 total appropriation to that system from the State Pensions Fund
14 for that fiscal year is less than the amount required to be
15 appropriated to that retirement system under Section 8.12 of
16 the State Finance Act.

17 The annual appropriation under this Section to each
18 designated retirement system shall take effect on July 1 for
19 the State fiscal year beginning on that date.

20 The amount of any continuing appropriation used by a
21 retirement system under this Section for a given fiscal year
22 shall be charged against the unexpended amount of any
23 appropriation to that retirement system for that fiscal year
24 under Section 8.12 of the State Finance Act that subsequently

1 becomes available, subject to Section 8.3 of the State Finance
2 Act.

3 "Designated retirement systems" means the State Employees'
4 Retirement System of Illinois, the Teachers' Retirement System
5 of the State of Illinois, the State Universities Retirement
6 System, the Judges Retirement System of Illinois, and the
7 General Assembly Retirement System.

8 The appropriations made in this Section are appropriated to
9 the designated retirement systems for the funding of the
10 unfunded liabilities of the designated retirement systems and
11 are in addition to, and not in lieu of, any State contributions
12 required under the Illinois Pension Code.

13 (b) For State fiscal year 2011 only, a continuing
14 appropriation is provided to the State Universities'
15 Retirement System that shall not exceed the amount certified by
16 the System on or before December 31, 2009; however, the
17 continuing appropriation shall not reduce the amount in the
18 State Pensions Fund below \$5,000,000.

19 (Source: P.A. 95-950, eff. 8-29-08.)

20 ARTICLE 95. SEVERABILITY

21 Section 95-95. Severability. The provisions of this Act are
22 severable under Section 1.31 of the Statute on Statutes.

23 ARTICLE 99. EFFECTIVE DATE

1 Section 99-99. Effective date. This Act takes effect July
2 1, 2010.".