

1 AN ACT concerning State government.

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

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

7 (15 ILCS 20/50-5)

8 Sec. 50-5. Governor to submit State budget.

9 (a) The Governor shall, as soon as possible and not later
10 than the second Wednesday in March in 2010 (March 10, 2010) and
11 the third Wednesday in February of each year beginning in 2011,
12 except as otherwise provided in this Section, submit a State
13 budget, embracing therein the amounts recommended by the
14 Governor to be appropriated to the respective departments,
15 offices, and institutions, and for all other public purposes,
16 the estimated revenues from taxation, the estimated revenues
17 from sources other than taxation, and an estimate of the amount
18 required to be raised by taxation. The amounts recommended by
19 the Governor for appropriation to the respective departments,
20 offices and institutions shall be formulated according to the
21 various functions and activities for which the respective
22 department, office or institution of the State government
23 (including the elective officers in the executive department

1 and including the University of Illinois and the judicial
2 department) is responsible. The amounts relating to particular
3 functions and activities shall be further formulated in
4 accordance with the object classification specified in Section
5 13 of the State Finance Act. In addition, the amounts
6 recommended by the Governor for appropriation shall take into
7 account each State agency's effectiveness in achieving its
8 prioritized goals for the previous fiscal year, as set forth in
9 Section 50-25 of this Law, giving priority to agencies and
10 programs that have demonstrated a focus on the prevention of
11 waste and the maximum yield from resources.

12 Beginning in fiscal year 2011, the Governor shall
13 distribute written quarterly budget statements on all
14 appropriated funds to the General Assembly and the State
15 Comptroller. The statements shall be submitted no later than 45
16 days after the last day ~~on Wednesday of the last week of the~~
17 ~~last month~~ of each quarter of the fiscal year and, ~~as is~~
18 ~~currently the practice on the effective date of this amendatory~~
19 ~~Act of the 96th General Assembly,~~ shall be posted on the
20 Governor's Office of Management and Budget's Comptroller's
21 website on the same day. The statements shall be prepared and
22 presented for each State agency and on a statewide level in an
23 executive summary format that includes, for the fiscal year to
24 date, individual itemizations for each revenue type ~~source~~ as
25 well as individual itemizations of expenditures and
26 obligations, by the classified line items set forth in Section

1 13 of the State Finance Act and for other purposes, with an
2 appropriate level of detail. The statement shall include a
3 calculation of the actual total budget surplus or deficit. The
4 Governor shall also present periodic budget addresses
5 throughout the fiscal year at the invitation of the General
6 Assembly.

7 The Governor shall not propose expenditures and the General
8 Assembly shall not enact appropriations that exceed the
9 resources estimated to be available, as provided in this
10 Section. Appropriations may be adjusted during the fiscal year
11 by means of one or more supplemental appropriation bills if any
12 State agency either fails to meet or exceeds the goals set
13 forth in Section 50-25 of this Law.

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

- 19 (1) General Revenue Fund.
- 20 (2) Common School Fund.
- 21 (3) Educational Assistance Fund.
- 22 (4) Road Fund.
- 23 (5) Motor Fuel Tax Fund.
- 24 (6) Agricultural Premium Fund.

25 These funds shall be known as the "budgeted funds". The
26 revenue estimates used in the State budget for the budgeted

1 funds shall include the estimated beginning fund balance, plus
2 revenues estimated to be received during the budgeted year,
3 plus the estimated receipts due the State as of June 30 of the
4 budgeted year that are expected to be collected during the
5 lapse period following the budgeted year, minus the receipts
6 collected during the first 2 months of the budgeted year that
7 became due to the State in the year before the budgeted year.
8 Revenues shall also include estimated federal reimbursements
9 associated with the recognition of Section 25 of the State
10 Finance Act liabilities. For any budgeted fund for which
11 current year revenues are anticipated to exceed expenditures,
12 the surplus shall be considered to be a resource available for
13 expenditure in the budgeted fiscal year.

14 Expenditure estimates for the budgeted funds included in
15 the State budget shall include the costs to be incurred by the
16 State for the budgeted year, to be paid in the next fiscal
17 year, excluding costs paid in the budgeted year which were
18 carried over from the prior year, where the payment is
19 authorized by Section 25 of the State Finance Act. For any
20 budgeted fund for which expenditures are expected to exceed
21 revenues in the current fiscal year, the deficit shall be
22 considered as a use of funds in the budgeted fiscal year.

23 Revenues and expenditures shall also include transfers
24 between funds that are based on revenues received or costs
25 incurred during the budget year.

26 Appropriations for expenditures shall also include all

1 anticipated statutory continuing appropriation obligations
2 that are expected to be incurred during the budgeted fiscal
3 year.

4 By March 15 of each year, the Commission on Government
5 Forecasting and Accountability shall prepare revenue and fund
6 transfer estimates in accordance with the requirements of this
7 Section and report those estimates to the General Assembly and
8 the Governor.

9 For all funds other than the budgeted funds, the proposed
10 expenditures shall not exceed funds estimated to be available
11 for the fiscal year as shown in the budget. Appropriation for a
12 fiscal year shall not exceed funds estimated by the General
13 Assembly to be available during that year.

14 (b) This subsection applies only to the process for the
15 proposed fiscal year 2011 budget.

16 By February 24, 2010, the Governor must file a written
17 report with the Secretary of the Senate and the Clerk of the
18 House of Representatives containing the following:

19 (1) for fiscal year 2010, the revenues for all budgeted
20 funds, both actual to date and estimated for the full
21 fiscal year;

22 (2) for fiscal year 2010, the expenditures for all
23 budgeted funds, both actual to date and estimated for the
24 full fiscal year;

25 (3) for fiscal year 2011, the estimated revenues for
26 all budgeted funds, including without limitation the

1 affordable General Revenue Fund appropriations, for the
2 full fiscal year; and

3 (4) for fiscal year 2011, an estimate of the
4 anticipated liabilities for all budgeted funds, including
5 without limitation the affordable General Revenue Fund
6 appropriations, debt service on bonds issued, and the
7 State's contributions to the pension systems, for the full
8 fiscal year.

9 Between February 24, 2010 and March 10, 2010, the members
10 of the General Assembly and members of the public may make
11 written budget recommendations to the Governor, and the
12 Governor shall promptly make those recommendations available
13 to the public through the Governor's Internet website.

14 (Source: P.A. 96-1, eff. 2-17-09; 96-320, eff. 1-1-10; 96-881,
15 eff. 2-11-10; 96-958, eff. 7-1-10; 96-1000, eff. 7-2-10.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.