

HB0380



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB0380

Introduced 01/31/11, by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

15 ILCS 20/50-5

Amends the State Budget Law of the Civil Administrative Code of Illinois. Makes a technical change in a Section concerning the Governor's submission of the State budget.

LRB097 03267 RLJ 43304 b

A BILL FOR

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

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

13 Beginning in fiscal year 2011, the Governor shall
14 distribute written quarterly budget statements to the General
15 Assembly and the State Comptroller. The statements shall be
16 submitted on Wednesday of the last week of the last month of
17 each quarter of the fiscal year and, as is currently the
18 practice on the effective date of this amendatory Act of the
19 96th General Assembly, shall be posted on the Comptroller's
20 website on the same day. The statements shall be prepared and
21 presented in an executive summary format that includes, for the
22 fiscal year to date, individual itemizations for each revenue
23 source as well as individual itemizations of expenditures and
24 obligations, by the classified line items set forth in Section
25 13 of the State Finance Act and for other purposes, with an
26 appropriate level of detail. The statement shall include a

1 calculation of the actual total budget surplus or deficit. The
2 Governor shall also present periodic budget addresses
3 throughout the fiscal year at the invitation of the General
4 Assembly.

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

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

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

23 These funds shall be known as the "budgeted funds". The
24 revenue estimates used in the State budget for the budgeted
25 funds shall include the estimated beginning fund balance, plus
26 revenues estimated to be received during the budgeted year,

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

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

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

24 Appropriations for expenditures shall also include all
25 anticipated statutory continuing appropriation obligations
26 that are expected to be incurred during the budgeted fiscal

1 year.

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

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

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

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

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

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

23 (3) for fiscal year 2011, the estimated revenues for
24 all budgeted funds, including without limitation the
25 affordable General Revenue Fund appropriations, for the
26 full fiscal year; and

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

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

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