



Rep. Michael J. Madigan

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1 AMENDMENT TO HOUSE BILL 156

2 AMENDMENT NO. _____. Amend House Bill 156 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Budget Law of the Civil
5 Administrative Code of Illinois is amended by changing Section
6 50-5 as 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),
11 the third Wednesday in February in 2011, the fourth Wednesday
12 in February in 2012 (February 22, 2012), the first Wednesday in
13 March in 2013 (March 6, 2013), and the third Wednesday in
14 February of each year thereafter, except as otherwise provided
15 in this Section, submit a State budget, embracing therein the
16 amounts recommended by the Governor to be appropriated to the

1 respective departments, offices, and institutions, and for all
2 other public purposes, the estimated revenues from taxation,
3 and the estimated revenues from sources other than taxation.
4 Except with respect to the capital development provisions of
5 the State budget, beginning with the revenue estimates prepared
6 for fiscal year 2012, revenue estimates shall be based solely
7 on: (i) revenue sources (including non-income resources),
8 rates, and levels that exist as of the date of the submission
9 of the State budget for the fiscal year and (ii) revenue
10 sources (including non-income resources), rates, and levels
11 that have been passed by the General Assembly as of the date of
12 the submission of the State budget for the fiscal year and that
13 are authorized to take effect in that fiscal year. Except with
14 respect to the capital development provisions of the State
15 budget, the Governor shall determine available revenue, deduct
16 the cost of essential government services, including, but not
17 limited to, pension payments and debt service, and assign a
18 percentage of the remaining revenue to each statewide
19 prioritized goal, as established in Section 50-25 of this Law,
20 taking into consideration the proposed goals set forth in the
21 report of the Commission established under that Section. The
22 Governor shall also demonstrate how spending priorities for the
23 fiscal year fulfill those statewide goals. The amounts
24 recommended by the Governor for appropriation to the respective
25 departments, offices and institutions shall be formulated
26 according to each department's, office's, and institution's

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

12 Beginning in fiscal year 2011, the Governor shall
13 distribute written quarterly financial reports on operating
14 funds, which may include general, State, or federal funds and
15 may include funds related to agencies that have significant
16 impacts on State operations, and budget statements on all
17 appropriated funds to the General Assembly and the State
18 Comptroller. The reports shall be submitted no later than 45
19 days after the last day of each quarter of the fiscal year and
20 shall be posted on the Governor's Office of Management and
21 Budget's website on the same day. The reports shall be prepared
22 and presented for each State agency and on a statewide level in
23 an executive summary format that may include, for the fiscal
24 year to date, individual itemizations for each significant
25 revenue type as well as itemizations of expenditures and
26 obligations, by agency, with an appropriate level of detail.

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

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

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

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

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

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

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

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

25 Appropriations for expenditures shall also include all
26 anticipated statutory continuing appropriation obligations

1 that are expected to be incurred during the budgeted fiscal
2 year.

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

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

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

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

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

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

26 (4) for fiscal year 2011, an estimate of the

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

6 Between July 1 and August 31 of each fiscal year, the
7 members of the General Assembly and members of the public may
8 make written budget recommendations to the Governor.

9 Beginning with budgets prepared for fiscal year 2013, the
10 budgets submitted by the Governor and appropriations made by
11 the General Assembly for all executive branch State agencies
12 must adhere to a method of budgeting where each priority must
13 be justified each year according to merit rather than according
14 to the amount appropriated for the preceding year.

15 (Source: P.A. 96-1, eff. 2-17-09; 96-320, eff. 1-1-10; 96-881,
16 eff. 2-11-10; 96-958, eff. 7-1-10; 96-1000, eff. 7-2-10;
17 96-1529, eff. 2-16-11; 96-1531, eff. 2-16-11; 97-669, eff.
18 1-13-12; 97-813, eff. 7-13-12.)

19 Section 10. The State Finance Act is amended by adding
20 Sections 5.829 and 6z-98 as follows:

21 (30 ILCS 105/5.829 new)

22 Sec. 5.829. The Capital Disposition Proceeds Fund.

23 (30 ILCS 105/6z-98 new)

1 Sec. 6z-98. Capital Disposition Proceeds Fund. The Capital
2 Disposition Proceeds Fund is created as a special fund in the
3 State Treasury. The State Comptroller and the State Treasurer
4 shall transfer all proceeds received by the State from the sale
5 of the Thomson Correctional Center into the Fund as soon as
6 practical after the effective date of this amendatory Act of
7 the 98th General Assembly. Money in the Fund shall be used only
8 for capital projects, subject to appropriation by the General
9 Assembly. All interest earned on moneys in the Fund shall be
10 deposited into the Fund.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.".