



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB1904

Introduced 2/15/2013, by Sen. Pamela J. Althoff

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Dedicated Fund Impact Note Act. Requires every bill that provides for the transfer of moneys from a special fund in the State treasury to any other fund in the State treasury through sweeps, administrative charge-backs, or another other fiscal or budgetary maneuver to have prepared for it, prior to second reading in each chamber, a brief explanatory statement or note that discloses the amount to be transferred from each special fund and an estimate of the programmatic impact of that transfer. Authorizes any member of the General Assembly to request one of these notes. Requires the Director of the Governor's Office of Management and Budget to respond to requests for these notes.

LRB098 08755 JDS 38880 b

FISCAL NOTE ACT  
MAY APPLY

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 1. Short title. This Act may be cited as the  
5 Dedicated Fund Impact Note Act.

6 Section 5. Dedicated fund impact note required. Every bill  
7 that provides for the transfer of moneys from a special fund in  
8 the State treasury to any other fund in the State treasury  
9 through sweeps, administrative charge-backs, or another other  
10 fiscal or budgetary maneuver shall have prepared for it, prior  
11 to second reading in each chamber, a brief explanatory  
12 statement or note that discloses the amount to be transferred  
13 from each special fund and an estimate of the programmatic  
14 impact of those transfers.

15 Section 10. Request for and delivery of note. Upon the  
16 request of any member of the General Assembly, the Director of  
17 the Governor's Office of Management and Budget, or any person  
18 within the Office whom the Director may designate, shall  
19 prepare a written statement setting forth the information  
20 specified in Section 5.

21 The statement prepared by the Director of the Governor's  
22 Office of Management and Budget shall be designated a Dedicated

1 Fund Impact Note and shall be furnished to the member who made  
2 the request within 10 calendar days thereafter, except that  
3 whenever, because of the complexity of the bill, additional  
4 time is required for the preparation of the note, the  
5 Governor's Office of Management and Budget may so notify the  
6 requester and ask for an extension of time not to exceed 5  
7 additional days within which the note is to be furnished. No  
8 extension shall extend beyond May 15 following the date of the  
9 request.

10 Section 15. Contents of note. The note shall be factual in  
11 nature, as brief and concise as may be, and shall provide as  
12 reliable an estimate as is possible under the circumstances of  
13 the amounts to be transferred and the programmatic impacts of  
14 the transfers. The note shall include both the immediate  
15 effect, and if determinable or reasonably foreseeable, the  
16 long-range effect of the measure.

17 A brief summary or work sheet of computations and all  
18 assumptions used in arriving at the Dedicated Fund Impact Note  
19 figures shall be supplied.

20 No comment or opinion shall be included in the note with  
21 regard to the merits of the measure for which the note is  
22 prepared; however, technical or mechanical defects may be  
23 noted.

24 The work sheet shall include, insofar as practicable, a  
25 breakdown of the costs and benefits upon which the note is

1 based. The note shall also include such other information as is  
2 required by the rules and regulations that may be promulgated  
3 by each house of the General Assembly with respect to the  
4 preparation of such notes.

5 The note shall be prepared in quintuplicate and the  
6 original of both the note and the work sheet shall be signed by  
7 the Governor's Office of Management and Budgets or such person  
8 as the Director may designate.

9 Section 20. Appearance before legislative committee. The  
10 fact that a Dedicated Fund Impact Note is prepared for any bill  
11 shall not preclude or restrict the appearance before any  
12 committee of the General Assembly, of any official or  
13 authorized employee of any State board, commission,  
14 department, agency, or other entity who desires to be heard in  
15 support of, or in opposition to, the measure.

16 Section 25. Applicability to amendments. Whenever any  
17 measure is amended on the floor of either house in such manner  
18 as to bring it within the description of bills set forth in  
19 Section 5 above, a majority of such house may propose that no  
20 action shall be taken upon the amendment until the Director of  
21 the Governor's Office of Management and Budget presents a note  
22 that complies with the requirements of this Act.

23 Section 30. Confidentiality. The subject matter of bills

1 submitted to the Director of the Governor's Office of  
2 Management and Budget shall be kept in strict confidence, and  
3 no information relating thereto or relating to the budget or  
4 impact thereof shall be divulged by an official or employee of  
5 the Office, except to the requester, or his or her designee,  
6 prior to the bill's introduction in the General Assembly.