



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB5749

by Rep. Brandon W. Phelps

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.875 new  
30 ILCS 730/3  
30 ILCS 730/7 new

from Ch. 96 1/2, par. 8203

Amends the State Finance Act. Creates the Coal Mining Conservation and Reclamation Fund as a special fund in the State treasury. Amends the Illinois Coal Technology Development Assistance Act. Provides that the Department of Natural Resources shall use all monies in the Coal Mining Land Conservation and Reclamation Fund to administer the Department's responsibilities. Provides that, notwithstanding any other law to the contrary, the Fund is not subject to sweeps, administrative charge-backs, or any other fiscal or budgetary maneuver that would transfer any amounts from the Fund into any other fund of the State. Provides that during fiscal year 2017 and each fiscal year thereafter, an amount of \$333,333.33 shall be transferred from the Coal Technology Development Assistance Fund to the Fund. Effective immediately.

LRB099 19751 MLM 44149 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The State Finance Act is amended by adding  
5 Section 5.875 as follows:

6 (30 ILCS 105/5.875 new)

7 Sec. 5.875. The Coal Mining Land Conservation and  
8 Reclamation Fund.

9 Section 10. The Illinois Coal Technology Development  
10 Assistance Act is amended by changing Sections 3 and 7 as  
11 follows:

12 (30 ILCS 730/3) (from Ch. 96 1/2, par. 8203)

13 Sec. 3. Transfers to and from the Coal Technology  
14 Development Assistance Fund.

15 (a) As soon as may be practicable after the first day of  
16 each month, the Department of Revenue shall certify to the  
17 Treasurer an amount equal to 1/64 of the revenue realized from  
18 the tax imposed by the Electricity Excise Tax Law, Section 2 of  
19 the Public Utilities Revenue Act, Section 2 of the Messages Tax  
20 Act, and Section 2 of the Gas Revenue Tax Act, during the  
21 preceding month. Upon receipt of the certification, the

1 Treasurer shall transfer the amount shown on such certification  
2 from the General Revenue Fund to the Coal Technology  
3 Development Assistance Fund, which is hereby created as a  
4 special fund in the State treasury, except that no transfer  
5 shall be made in any month in which the Fund has reached the  
6 following balance:

7 (1) \$7,000,000 during fiscal year 1994.

8 (2) \$8,500,000 during fiscal year 1995.

9 (3) \$10,000,000 during fiscal years 1996 and 1997.

10 (4) During fiscal year 1998 through fiscal year 2004,  
11 an amount equal to the sum of \$10,000,000 plus additional  
12 moneys deposited into the Coal Technology Development  
13 Assistance Fund from the Renewable Energy Resources and  
14 Coal Technology Development Assistance Charge under  
15 Section 6.5 of the Renewable Energy, Energy Efficiency, and  
16 Coal Resources Development Law of 1997.

17 (5) During fiscal year 2005, an amount equal to the sum  
18 of \$7,000,000 plus additional moneys deposited into the  
19 Coal Technology Development Assistance Fund from the  
20 Renewable Energy Resources and Coal Technology Development  
21 Assistance Charge under Section 6.5 of the Renewable  
22 Energy, Energy Efficiency, and Coal Resources Development  
23 Law of 1997.

24 (6) During fiscal year 2006 and each fiscal year  
25 thereafter, an amount equal to the sum of \$10,000,000 plus  
26 additional moneys deposited into the Coal Technology

1 Development Assistance Fund from the Renewable Energy  
2 Resources and Coal Technology Development Assistance  
3 Charge under Section 6.5 of the Renewable Energy, Energy  
4 Efficiency, and Coal Resources Development Law of 1997.

5 (b) During fiscal year 2017 and each fiscal year  
6 thereafter, an amount of \$333,333.33 shall be transferred from  
7 the Coal Technology Development Assistance Fund to the Coal  
8 Mining Land Conservation and Reclamation Fund on the first day  
9 of each month.

10 (Source: P.A. 99-78, eff. 7-20-15.)

11 (30 ILCS 730/7 new)

12 Sec. 7. Coal Mining Land Conservation and Reclamation Fund.  
13 The Coal Mining Land Conservation and Reclamation Fund is  
14 hereby created. The Department of Natural Resources shall use  
15 all monies from the Coal Mining Land Conservation and  
16 Reclamation Fund to administer the Department's  
17 responsibilities under the Surface Coal Mining Land  
18 Conservation and Reclamation Act. Monies may be used as  
19 necessary for additional personal costs associated with  
20 administration of the Act. Notwithstanding any other law to the  
21 contrary, the Coal Mining Land Conservation and Reclamation  
22 Fund is not subject to sweeps, administrative charge-backs, or  
23 any other fiscal or budgetary maneuver that would in any way  
24 transfer any amounts from the Coal Mining Land Conservation and  
25 Reclamation Fund into any other fund of the State.

1           Section 99. Effective date. This Act takes effect upon  
2           becoming law.