

1 AMENDMENT TO HOUSE BILL 1531

2 AMENDMENT NO. _____. Amend House Bill 1531 by replacing
3 the title with the following:

4 "AN ACT concerning State finance."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The State Finance Act is amended by
8 changing Sections 13.2 and 25 as follows:

9 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

10 Sec. 13.2. Transfers among line item appropriations.

11 (a) Transfers among line item appropriations from the
12 same treasury fund for the objects specified in this Section
13 may be made in the manner provided in this Section when the
14 balance remaining in one or more such line item
15 appropriations is insufficient for the purpose for which the
16 appropriation was made.

17 No transfers may be made from one agency to another
18 agency, nor may transfers be made from one institution of
19 higher education to another institution of higher education.
20 Transfers may be made only among the objects of expenditure
21 enumerated in this Section, except that no funds may be

1 transferred from any appropriation for personal services,
2 from any appropriation for State contributions to the State
3 Employees' Retirement System, from any separate appropriation
4 for employee retirement contributions paid by the employer,
5 nor from any appropriation for State contribution for
6 employee group insurance. Further, if an agency receives a
7 separate appropriation for employee retirement contributions
8 paid by the employer, any transfer by that agency into an
9 appropriation for personal services must be accompanied by a
10 corresponding transfer into the appropriation for employee
11 retirement contributions paid by the employer, in an amount
12 sufficient to meet the employer share of the employee
13 contributions required to be remitted to the retirement
14 system.

15 (b) In addition to the general transfer authority
16 provided under subsection (c), the following agencies have
17 the specific transfer authority granted in this subsection:

18 The Illinois Department of Public Aid is authorized to
19 make transfers representing savings attributable to not
20 increasing grants due to the births of additional children
21 from line items for payments of cash grants to line items for
22 payments for employment and social services for the purposes
23 outlined in subsection (f) of Section 4-2 of the Illinois
24 Public Aid Code.

25 The Department of Children and Family Services is
26 authorized to make transfers not exceeding 2% of the
27 aggregate amount appropriated to it within the same treasury
28 fund for the following line items among these same line
29 items: Foster Home and Specialized Foster Care and
30 Prevention, Institutions and Group Homes and Prevention, and
31 Purchase of Adoption and Guardianship Services.

32 The Department on Aging is authorized to make transfers
33 not exceeding 2% of the aggregate amount appropriated to it
34 within the same treasury fund for the following Community

1 Care Program line items among these same line items:
2 Homemaker and Senior Companion Services, Case Coordination
3 Units, and Adult Day Care Services.

4 The State Treasurer is authorized to make transfers among
5 line item appropriations from the Capital Litigation Trust
6 Fund when the balance remaining in one or more such line item
7 appropriations is insufficient for the purpose for which the
8 appropriation was made, provided that no such transfer may be
9 made unless the amount transferred is no longer required for
10 the purpose for which that appropriation was made.

11 (c) The sum of such transfers for an agency in a fiscal
12 year shall not exceed 2% of the aggregate amount appropriated
13 to it within the same treasury fund for the following
14 objects: Personal Services; Extra Help; Student and Inmate
15 Compensation; State Contributions to Retirement Systems;
16 State Contributions to Social Security; State Contribution
17 for Employee Group Insurance; Contractual Services; Travel;
18 Commodities; Printing; Equipment; Electronic Data Processing;
19 Operation of Automotive Equipment; Telecommunications
20 Services; Travel and Allowance for Committed, Paroled and
21 Discharged Prisoners; Library Books; Federal Matching Grants
22 for Student Loans; Refunds; Workers' Compensation,
23 Occupational Disease, and Tort Claims; and, in appropriations
24 to institutions of higher education, Awards and Grants.
25 Notwithstanding the above, any amounts appropriated for
26 payment of workers' compensation claims to an agency to which
27 the authority to evaluate, administer and pay such claims has
28 been delegated by the Department of Central Management
29 Services may be transferred to any other expenditure object
30 where such amounts exceed the amount necessary for the
31 payment of such claims.

32 (c-1) Special provisions for State fiscal year 2003.
33 Notwithstanding any other provision of this Section to the
34 contrary, for State fiscal year 2003 only, transfers among

1 line item appropriations to an agency from the same treasury
2 fund may be made provided that the sum of such transfers for
3 an agency in State fiscal year 2003 shall not exceed 3% of
4 the aggregate amount appropriated to that State agency for
5 State fiscal year 2003 for the following objects: personal
6 services, except that no transfer may be approved which
7 reduces the aggregate appropriations for personal services
8 within an agency; extra help; student and inmate
9 compensation; State contributions to retirement systems;
10 State contributions to social security; State contributions
11 for employee group insurance; contractual services; travel;
12 commodities; printing; equipment; electronic data processing;
13 operation of automotive equipment; telecommunications
14 services; travel and allowance for committed, paroled, and
15 discharged prisoners; library books; federal matching grants
16 for student loans; refunds; workers' compensation,
17 occupational disease, and tort claims; and, in appropriations
18 to institutions of higher education, awards and grants.

19 (d) Transfers among appropriations made to agencies of
20 the Legislative and Judicial departments and to the
21 constitutionally elected officers in the Executive branch
22 require the approval of the officer authorized in Section 10
23 of this Act to approve and certify vouchers. Transfers among
24 appropriations made to the University of Illinois, Southern
25 Illinois University, Chicago State University, Eastern
26 Illinois University, Governors State University, Illinois
27 State University, Northeastern Illinois University, Northern
28 Illinois University, Western Illinois University, the
29 Illinois Mathematics and Science Academy and the Board of
30 Higher Education require the approval of the Board of Higher
31 Education and the Governor. Transfers among appropriations
32 to all other agencies require the approval of the Governor.

33 The officer responsible for approval shall certify that
34 the transfer is necessary to carry out the programs and

1 purposes for which the appropriations were made by the
2 General Assembly and shall transmit to the State Comptroller
3 a certified copy of the approval which shall set forth the
4 specific amounts transferred so that the Comptroller may
5 change his records accordingly. The Comptroller shall
6 furnish the Governor with information copies of all transfers
7 approved for agencies of the Legislative and Judicial
8 departments and transfers approved by the constitutionally
9 elected officials of the Executive branch other than the
10 Governor, showing the amounts transferred and indicating the
11 dates such changes were entered on the Comptroller's records.
12 (Source: P.A. 92-600, eff. 6-28-02.)

13 (30 ILCS 105/25) (from Ch. 127, par. 161)

14 Sec. 25. Fiscal year limitations.

15 (a) All appropriations shall be available for
16 expenditure for the fiscal year or for a lesser period if the
17 Act making that appropriation so specifies. A deficiency or
18 emergency appropriation shall be available for expenditure
19 only through June 30 of the year when the Act making that
20 appropriation is enacted unless that Act otherwise provides.

21 (b) Outstanding liabilities as of June 30, payable from
22 appropriations which have otherwise expired, may be paid out
23 of the expiring appropriations during the 2-month period
24 ending at the close of business on August 31. Any service
25 involving professional or artistic skills or any personal
26 services by an employee whose compensation is subject to
27 income tax withholding must be performed as of June 30 of the
28 fiscal year in order to be considered an "outstanding
29 liability as of June 30" that is thereby eligible for payment
30 out of the expiring appropriation.

31 However, payment of tuition reimbursement claims under
32 Section 14-7.03 or 18-3 of the School Code may be made by the
33 State Board of Education from its appropriations for those

1 respective purposes for any fiscal year, even though the
2 claims reimbursed by the payment may be claims attributable
3 to a prior fiscal year, and payments may be made at the
4 direction of the State Superintendent of Education from the
5 fund from which the appropriation is made without regard to
6 any fiscal year limitations.

7 Medical payments may be made by the Department of
8 Veterans' Affairs from its appropriations for those purposes
9 for any fiscal year, without regard to the fact that the
10 medical services being compensated for by such payment may
11 have been rendered in a prior fiscal year.

12 Medical payments may be made by the Department of Public
13 Aid and child care payments may be made by the Department of
14 Human Services (as successor to the Department of Public Aid)
15 from appropriations for those purposes for any fiscal year,
16 without regard to the fact that the medical or child care
17 services being compensated for by such payment may have been
18 rendered in a prior fiscal year; and payments may be made at
19 the direction of the Department of Central Management
20 Services from the Health Insurance Reserve Fund and the Local
21 Government Health Insurance Reserve Fund without regard to
22 any fiscal year limitations.

23 Additionally, payments may be made by the Department of
24 Human Services from its appropriations, or any other State
25 agency from its appropriations with the approval of the
26 Department of Human Services, from the Immigration Reform and
27 Control Fund for purposes authorized pursuant to the
28 Immigration Reform and Control Act of 1986, without regard to
29 any fiscal year limitations.

30 Further, payments may be made by the State Treasurer from
31 its appropriations from the Capital Litigation Trust Fund
32 without regard to any fiscal year limitations.

33 (c) Further, payments may be made by the Department of
34 Public Health and the Department of Human Services (acting as

1 successor to the Department of Public Health under the
2 Department of Human Services Act) from their respective
3 appropriations for grants for medical care to or on behalf of
4 persons suffering from chronic renal disease, persons
5 suffering from hemophilia, rape victims, and premature and
6 high-mortality risk infants and their mothers and for grants
7 for supplemental food supplies provided under the United
8 States Department of Agriculture Women, Infants and Children
9 Nutrition Program, for any fiscal year without regard to the
10 fact that the services being compensated for by such payment
11 may have been rendered in a prior fiscal year.

12 (d) The Department of Public Health and the Department
13 of Human Services (acting as successor to the Department of
14 Public Health under the Department of Human Services Act)
15 shall each annually submit to the State Comptroller, Senate
16 President, Senate Minority Leader, Speaker of the House,
17 House Minority Leader, and the respective Chairmen and
18 Minority Spokesmen of the Appropriations Committees of the
19 Senate and the House, on or before December 31, a report of
20 fiscal year funds used to pay for services provided in any
21 prior fiscal year. This report shall document by program or
22 service category those expenditures from the most recently
23 completed fiscal year used to pay for services provided in
24 prior fiscal years.

25 (e) The Department of Public Aid and the Department of
26 Human Services (acting as successor to the Department of
27 Public Aid) shall each annually submit to the State
28 Comptroller, Senate President, Senate Minority Leader,
29 Speaker of the House, House Minority Leader, the respective
30 Chairmen and Minority Spokesmen of the Appropriations
31 Committees of the Senate and the House, on or before November
32 30, a report that shall document by program or service
33 category those expenditures from the most recently completed
34 fiscal year used to pay for (i) services provided in prior

1 fiscal years and (ii) services for which claims were received
2 in prior fiscal years.

3 (f) The Department of Human Services (as successor to
4 the Department of Public Aid) shall annually submit to the
5 State Comptroller, Senate President, Senate Minority Leader,
6 Speaker of the House, House Minority Leader, and the
7 respective Chairmen and Minority Spokesmen of the
8 Appropriations Committees of the Senate and the House, on or
9 before December 31, a report of fiscal year funds used to pay
10 for services (other than medical care) provided in any prior
11 fiscal year. This report shall document by program or
12 service category those expenditures from the most recently
13 completed fiscal year used to pay for services provided in
14 prior fiscal years.

15 (g) In addition, each annual report required to be
16 submitted by the Department of Public Aid under subsection
17 (e) shall include the following information with respect to
18 the State's Medicaid program:

19 (1) Explanations of the exact causes of the
20 variance between the previous year's estimated and actual
21 liabilities.

22 (2) Factors affecting the Department of Public
23 Aid's liabilities, including but not limited to numbers
24 of aid recipients, levels of medical service utilization
25 by aid recipients, and inflation in the cost of medical
26 services.

27 (3) The results of the Department's efforts to
28 combat fraud and abuse.

29 (h) As provided in Section 4 of the General Assembly
30 Compensation Act, any utility bill for service provided to a
31 General Assembly member's district office for a period
32 including portions of 2 consecutive fiscal years may be paid
33 from funds appropriated for such expenditure in either fiscal
34 year.

1 (i) An agency which administers a fund classified by the
2 Comptroller as an internal service fund may issue rules for:

3 (1) billing user agencies in advance based on
4 estimated charges for goods or services;

5 (2) issuing credits during the subsequent fiscal
6 year for all user agency payments received during the
7 prior fiscal year which were in excess of the final
8 amounts owed by the user agency for that period; and

9 (3) issuing catch-up billings to user agencies
10 during the subsequent fiscal year for amounts remaining
11 due when payments received from the user agency during
12 the prior fiscal year were less than the total amount
13 owed for that period.

14 User agencies are authorized to reimburse internal service
15 funds for catch-up billings by vouchers drawn against their
16 respective appropriations for the fiscal year in which the
17 catch-up billing was issued.

18 (Source: P.A. 89-235, eff. 8-4-95; 89-507, eff. 7-1-97;
19 89-511, eff. 1-1-97; 90-14, eff. 7-1-97; 90-168, eff.
20 7-23-97.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law."