



LRB096 12991 RLJ 27122 a

1                                    AMENDMENT TO SENATE BILL XXXX

2            AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill XXXX 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 Sections  
6 50-5 and 50-15 as follows:

7            (15 ILCS 20/50-5) (was 15 ILCS 20/38)

8            Sec. 50-5. Governor to submit State budget. The Governor  
9 shall, as soon as possible and not later than the third  
10 Wednesday in March in 2009 (March 18, 2009) and the third  
11 Wednesday in February of each year beginning in 2010, except as  
12 otherwise provided in this Section, submit a State budget,  
13 embracing therein the amounts recommended by the Governor to be  
14 appropriated to the respective departments, offices, and  
15 institutions, and for all other public purposes, the estimated  
16 revenues from taxation, the estimated revenues from sources

1 other than taxation, and an estimate of the amount required to  
2 be raised by taxation. The amounts recommended by the Governor  
3 for appropriation to the respective departments, offices and  
4 institutions shall be formulated according to the various  
5 functions and activities for which the respective department,  
6 office or institution of the State government (including the  
7 elective officers in the executive department and including the  
8 University of Illinois and the judicial department) is  
9 responsible. The amounts relating to particular functions and  
10 activities shall be further formulated in accordance with the  
11 object classification specified in Section 13 of the State  
12 Finance Act.

13 The Governor shall not propose expenditures and the General  
14 Assembly shall not enact appropriations that exceed the  
15 resources estimated to be available, as provided in this  
16 Section. After the Governor submits his or her proposed  
17 expenditures, the General Assembly shall adopt a joint  
18 resolution, the Binding Budget Resolution, stating the  
19 expected resources available in the General Revenue Fund for  
20 the upcoming fiscal year. The General Assembly may not enact  
21 appropriations that exceed the resources estimated to be  
22 available in the General Revenue Fund. A Binding Budget Joint  
23 Resolution may be amended only upon the enactment of new  
24 revenues.

25 For the purposes of Article VIII, Section 2 of the 1970  
26 Illinois Constitution, the State budget for the following funds

1 shall be prepared on the basis of revenue and expenditure  
2 measurement concepts that are in concert with generally  
3 accepted accounting principles for governments:

- 4 (1) General Revenue Fund.
- 5 (2) Common School Fund.
- 6 (3) Educational Assistance Fund.
- 7 (4) Road Fund.
- 8 (5) Motor Fuel Tax Fund.
- 9 (6) Agricultural Premium Fund.

10 These funds shall be known as the "budgeted funds". The  
11 revenue estimates used in the State budget for the budgeted  
12 funds shall include the estimated beginning fund balance, plus  
13 revenues estimated to be received during the budgeted year,  
14 plus the estimated receipts due the State as of June 30 of the  
15 budgeted year that are expected to be collected during the  
16 lapse period following the budgeted year, minus the receipts  
17 collected during the first 2 months of the budgeted year that  
18 became due to the State in the year before the budgeted year.  
19 Revenues shall also include estimated federal reimbursements  
20 associated with the recognition of Section 25 of the State  
21 Finance Act liabilities. For any budgeted fund for which  
22 current year revenues are anticipated to exceed expenditures,  
23 the surplus shall be considered to be a resource available for  
24 expenditure in the budgeted fiscal year.

25 Expenditure estimates for the budgeted funds included in  
26 the State budget shall include the costs to be incurred by the

1 State for the budgeted year, to be paid in the next fiscal  
2 year, excluding costs paid in the budgeted year which were  
3 carried over from the prior year, where the payment is  
4 authorized by Section 25 of the State Finance Act. For any  
5 budgeted fund for which expenditures are expected to exceed  
6 revenues in the current fiscal year, the deficit shall be  
7 considered as a use of funds in the budgeted fiscal year.

8 Revenues and expenditures shall also include transfers  
9 between funds that are based on revenues received or costs  
10 incurred during the budget year.

11 By March 15 of each year, the Commission on Government  
12 Forecasting and Accountability shall prepare revenue and fund  
13 transfer estimates in accordance with the requirements of this  
14 Section and report those estimates to the General Assembly and  
15 the Governor.

16 For all funds other than the budgeted funds, the proposed  
17 expenditures shall not exceed funds estimated to be available  
18 for the fiscal year as shown in the budget. Appropriation for a  
19 fiscal year shall not exceed funds estimated by the General  
20 Assembly to be available during that year.

21 The General Assembly shall not enact appropriations for a  
22 fiscal year in fewer than 4 separate appropriations. The  
23 General Assembly shall enact one appropriation for (i)  
24 education, (ii) health and human services for the relevant  
25 agencies that deal with health care or human services, or both,  
26 (iii) public safety for agencies including the Department of

1 Corrections, the Department of Illinois State Police, and other  
2 relevant agencies, (iv) transportation, and (v) general  
3 government operations for appropriations related to the  
4 Constitutional Officers, the General Assembly, and any other  
5 agency not included in items (i) through (iv).

6 (Source: P.A. 96-1, eff. 2-17-09.)

7 (15 ILCS 20/50-15) (was 15 ILCS 20/38.2)

8 Sec. 50-15. Department accountability reports.

9 (a) Beginning in the fiscal year which begins July 1, 1992,  
10 each department of State government as listed in Section 5-15  
11 of the Departments of State Government Law (20 ILCS 5/5-15)  
12 shall submit an annual accountability report to the Bureau of  
13 the Budget (now Governor's Office of Management and Budget) at  
14 times designated by the Director of the Bureau of the Budget  
15 now Governor's Office of Management and Budget). Each  
16 accountability report shall be designed to assist the Bureau  
17 (now Office) in its duties under Sections 2.2 and 2.3 of the  
18 Governor's Office of Management and Budget Act and shall  
19 measure the department's performance based on criteria, goals,  
20 and objectives established by the department with the oversight  
21 and assistance of the Bureau (now Office). Each department  
22 shall also submit interim progress reports at times designated  
23 by the Director of the Bureau (now Office).

24 (b) Representatives from each Department shall provide  
25 public testimony to the General Assembly. This testimony shall

1 be given to the relevant appropriations committee as determined  
2 by the Speaker of the House or the President of the Senate, and  
3 the clerk of those committees shall administer oaths to those  
4 appearing to testify ~~(Blank)~~.

5 (c) The Director of the Bureau (now Office) shall select  
6 not more than 3 departments for a pilot program implementing  
7 the procedures of subsection (a) for budget requests for the  
8 fiscal years beginning July 1, 1990 and July 1, 1991, and each  
9 of the departments elected shall submit accountability reports  
10 for those fiscal years.

11 By April 1, 1991, the Bureau (now Office) shall recommend  
12 in writing to the Governor any changes in the budget review  
13 process established pursuant to this Section suggested by its  
14 evaluation of the pilot program. The Governor shall submit  
15 changes to the budget review process that the Governor plans to  
16 adopt, based on the report, to the President and Minority  
17 Leader of the Senate and the Speaker and Minority Leader of the  
18 House of Representatives.

19 (Source: P.A. 94-793, eff. 5-19-06.)

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