

1 AN ACT concerning revenue.

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

4 Section 5. The State Budget Law of the Civil Administrative
5 Code of Illinois is amended by changing Section 50-5 as
6 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), the fourth Wednesday in March in
14 2014 (March 26, 2014), and the third Wednesday in February of
15 each year thereafter, except as otherwise provided in this
16 Section, submit a State budget, embracing therein the amounts
17 recommended by the Governor to be appropriated to the
18 respective departments, offices, and institutions, and for all
19 other public purposes, the estimated revenues from taxation,
20 and the estimated revenues from sources other than taxation.
21 Except with respect to the capital development provisions of
22 the State budget, beginning with the revenue estimates prepared
23 for fiscal year 2012, revenue estimates shall be based solely

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

1 take into account each State agency's effectiveness in
2 achieving its prioritized goals for the previous fiscal year,
3 as set forth in Section 50-25 of this Law, giving priority to
4 agencies and programs that have demonstrated a focus on the
5 prevention of waste and the maximum yield from resources.

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

26 The Governor shall not propose expenditures and the General

1 Assembly shall not enact appropriations that exceed the
2 resources estimated to be available, as provided in this
3 Section. Appropriations may be adjusted during the fiscal year
4 by means of one or more supplemental appropriation bills if any
5 State agency either fails to meet or exceeds the goals set
6 forth in Section 50-25 of this Law.

7 For the purposes of Article VIII, Section 2 of the 1970
8 Illinois Constitution, the State budget for the following funds
9 shall be prepared on the basis of revenue and expenditure
10 measurement concepts that are in concert with generally
11 accepted accounting principles for governments:

12 (1) General Revenue Fund.

13 (2) Common School Fund.

14 (3) Educational Assistance Fund.

15 (4) Road Fund.

16 (5) Motor Fuel Tax Fund.

17 (6) Agricultural Premium Fund.

18 These funds shall be known as the "budgeted funds". The
19 revenue estimates used in the State budget for the budgeted
20 funds shall include the estimated beginning fund balance, plus
21 revenues estimated to be received during the budgeted year,
22 plus the estimated receipts due the State as of June 30 of the
23 budgeted year that are expected to be collected during the
24 lapse period following the budgeted year, minus the receipts
25 collected during the first 2 months of the budgeted year that
26 became due to the State in the year before the budgeted year.

1 Revenues shall also include estimated federal reimbursements
2 associated with the recognition of Section 25 of the State
3 Finance Act liabilities. For any budgeted fund for which
4 current year revenues are anticipated to exceed expenditures,
5 the surplus shall be considered to be a resource available for
6 expenditure in the budgeted fiscal year.

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

16 Revenues and expenditures shall also include transfers
17 between funds that are based on revenues received or costs
18 incurred during the budget year.

19 Appropriations for expenditures shall also include all
20 anticipated statutory continuing appropriation obligations
21 that are expected to be incurred during the budgeted fiscal
22 year.

23 By March 15 of each year, the Commission on Government
24 Forecasting and Accountability shall prepare revenue and fund
25 transfer estimates in accordance with the requirements of this
26 Section and report those estimates to the General Assembly and

1 the Governor.

2 For all funds other than the budgeted funds, the proposed
3 expenditures shall not exceed funds estimated to be available
4 for the fiscal year as shown in the budget. Appropriation for a
5 fiscal year shall not exceed funds estimated by the General
6 Assembly to be available during that year.

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

10 (1) for fiscal year 2010, the revenues for all budgeted
11 funds, both actual to date and estimated for the full
12 fiscal year;

13 (2) for fiscal year 2010, the expenditures for all
14 budgeted funds, both actual to date and estimated for the
15 full fiscal year;

16 (3) for fiscal year 2011, the estimated revenues for
17 all budgeted funds, including without limitation the
18 affordable General Revenue Fund appropriations, for the
19 full fiscal year; and

20 (4) for fiscal year 2011, an estimate of the
21 anticipated liabilities for all budgeted funds, including
22 without limitation the affordable General Revenue Fund
23 appropriations, debt service on bonds issued, and the
24 State's contributions to the pension systems, for the full
25 fiscal year.

26 Between July 1 and August 31 of each fiscal year, the

1 members of the General Assembly and members of the public may
2 make written budget recommendations to the Governor.

3 Beginning with budgets prepared for fiscal year 2013, the
4 budgets submitted by the Governor and appropriations made by
5 the General Assembly for all executive branch State agencies
6 must adhere to a method of budgeting where each priority must
7 be justified each year according to merit rather than according
8 to the amount appropriated for the preceding year.

9 (Source: P.A. 97-669, eff. 1-13-12; 97-813, eff. 7-13-12; 98-2,
10 eff. 2-19-13.)

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