

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

157th Legislative Day

12/28/2010

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction reading of House Joint Resolution Constitutional Amendments-First Reading. House Joint Resolution Constitutional Amendment #61, offered by Representative Farnham.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 2.1 to Article VIII of the Illinois Constitution as follows:

ARTICLE VIII

FINANCE

SECTION 2.1. LIMITATIONS ON APPROPRIATIONS AND TRANSFERS

(a) For the fiscal year ending in 2014 and each fiscal year thereafter, aggregate appropriations and transfers from the general funds are limited as provided in this Section. "General funds" include the General Revenue Fund, the Common School Fund, the General Revenue Common School Special Account Fund, and the Education Assistance Fund and any other funds designated by the General Assembly by law making specific reference to this Section. "Appropriations and transfers" do not include (i) reappropriations from a previous fiscal year, (ii) those made for debt service payments, (iii) those made to pay pension obligations, and (iv) those made to a budget stabilization fund.

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(b) Aggregate fiscal year appropriations and transfers from the general funds may not exceed the limitation amount. The limitation amount is the aggregate amount of appropriations and transfers from the general funds in the previous fiscal year, as adjusted. The adjustment is the average annual percentage change in the average per capita personal income for Illinois for the five most recent calendar years for which data is available, as defined and reported by the United States Department of Commerce, or its successor.

(c) The Governor may declare a fiscal emergency by filing a declaration with the Secretary of State and copies with the Senate and House of Representatives. The declaration must be limited to only one State fiscal year, set forth compelling reasons for declaring a fiscal emergency, and request that the limitation amount for that fiscal year be increased by a specific dollar amount. If the Comptroller and Treasurer advise the General Assembly that they concur in the Governor's declaration, then by a record vote of three-fifths of the members elected in each house, the General Assembly by law may authorize increased appropriations and transfers in a specific dollar amount that is no more than the increased amount requested by the Governor in the declaration.

(d) If the general funds revenues for a fiscal year exceed the limitation amount for that fiscal year, then those excess revenues must be deposited into one or more budget stabilization funds. A budget stabilization fund must be designated by law making specific reference to this Section or, in the absence of law, by the Comptroller. If the

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aggregate unexpended and unobligated amount in the budget stabilization funds at the end of a fiscal year exceeds an amount equal to ten percent of the limitation amount for that fiscal year, then that excess shall be refunded in a manner and in amounts determined by the General Assembly by law.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This has been First Reading of House Joint Resolution Constitutional Amendment 61. There being no further business, the House Perfunctory Session will stand adjourned."