



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**  
**HB4158**

Introduced 1/21/2004, by William Davis

**SYNOPSIS AS INTRODUCED:**

20 ILCS 1305/10-13 new  
30 ILCS 105/5.625 new  
35 ILCS 5/507DD new  
35 ILCS 5/509 from Ch. 120, par. 5-509  
35 ILCS 5/510 from Ch. 120, par. 5-510

Amends the Illinois Income Tax Act. Creates a tax checkoff for the American Diabetes Foundation Research Fund. Further amends the State Finance Act to create the Fund. Amends the Department of Human Services Act to provide that the Department shall provide grants to the American Diabetes Foundation for diabetes research from appropriations to the Department from the American Diabetes Foundation Research Fund. Effective immediately.

LRB093 15787 SJM 41399 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning taxes.

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

4 Section 5. The Department of Human Services Act is amended  
5 by adding Section 10-13 as follows:

6 (20 ILCS 1305/10-13 new)

7 Sec. 10-13. Grants to the American Diabetes Association.  
8 The Department of Human Services shall make grants to the  
9 American Diabetes Association for research on diabetes from  
10 appropriations to the Department from the American Diabetes  
11 Association Research Fund, a special fund created in the State  
12 treasury.

13 Section 10. The State Finance Act is amended by adding  
14 Section 5.625 as follows:

15 (30 ILCS 105/5.625 new)

16 Sec. 5.625. The American Diabetes Association Research  
17 Fund.

18 Section 15. The Illinois Income Tax Act is amended by  
19 changing Sections 509 and 510 and adding Section 507DD as  
20 follows:

21 (35 ILCS 5/507DD new)

22 Sec. 507DD. The American Diabetes Association checkoff.  
23 For taxable years ending on or after December 31, 2004, the  
24 Department shall print on its standard individual income tax  
25 form a provision indicating that if the taxpayer wishes to  
26 contribute to the American Diabetes Association Research Fund,  
27 as authorized by this amendatory Act of the 93rd General  
28 Assembly, he or she may do so by stating the amount of the

1 contribution (not less than \$1) on the return and that the  
2 contribution will reduce the taxpayer's refund or increase the  
3 amount of payment to accompany the return. Failure to remit any  
4 amount of increased payment shall reduce the contribution  
5 accordingly. This Section shall not apply to any amended  
6 return.

7 (35 ILCS 5/509) (from Ch. 120, par. 5-509)

8 Sec. 509. Tax checkoff explanations. All individual income  
9 tax return forms shall contain appropriate explanations and  
10 spaces to enable the taxpayers to designate contributions to  
11 the following funds: the Child Abuse Prevention Fund, the  
12 Illinois Wildlife Preservation Fund (as required by the  
13 Illinois Non-Game Wildlife Protection Act), the Alzheimer's  
14 Disease Research Fund (as required by the Alzheimer's Disease  
15 Research Act), the Assistance to the Homeless Fund (as required  
16 by this Act), the Penny Severns Breast and Cervical Cancer  
17 Research Fund, the National World War II Memorial Fund, the  
18 Prostate Cancer Research Fund, the Lou Gehrig's Disease (ALS)  
19 Research Fund, the Multiple Sclerosis Assistance Fund, the  
20 Leukemia Treatment and Education Fund, the World War II  
21 Illinois Veterans Memorial Fund, the Korean War Veterans  
22 National Museum and Library Fund, ~~to~~ the Illinois Military  
23 Family Relief Fund, the American Diabetes Association Research  
24 Fund, and the Asthma and Lung Research Fund.

25 Each form shall contain a statement that the contributions  
26 will reduce the taxpayer's refund or increase the amount of  
27 payment to accompany the return. Failure to remit any amount of  
28 increased payment shall reduce the contribution accordingly.

29 If, on October 1 of any year, the total contributions to  
30 any one of the funds made under this Section do not equal  
31 \$100,000 or more, the explanations and spaces for designating  
32 contributions to the fund shall be removed from the individual  
33 income tax return forms for the following and all subsequent  
34 years and all subsequent contributions to the fund shall be  
35 refunded to the taxpayer.

1 (Source: P.A. 92-84, eff. 7-1-02; 92-198, eff. 8-1-01; 92-651,  
2 eff. 7-11-02; 92-772, eff. 8-6-02; 92-886, eff. 2-7-03; 93-36,  
3 eff. 6-24-03; 93-131, eff. 7-10-03; 93-292, eff. 7-22-03;  
4 93-324, eff. 7-23-03; revised 9-8-03.)

5 (35 ILCS 5/510) (from Ch. 120, par. 5-510)

6 Sec. 510. Determination of amounts contributed. The  
7 Department shall determine the total amount contributed to each  
8 of the following: the Child Abuse Prevention Fund, the Illinois  
9 Wildlife Preservation Fund, the Assistance to the Homeless  
10 Fund, the Alzheimer's Disease Research Fund, the Penny Severns  
11 Breast and Cervical Cancer Research Fund, the National World  
12 War II Memorial Fund, the Prostate Cancer Research Fund, ~~to~~ the  
13 Illinois Military Family Relief Fund, the Lou Gehrig's Disease  
14 (ALS) Research Fund, the Multiple Sclerosis Assistance Fund,  
15 the Leukemia Treatment and Education Fund, the World War II  
16 Illinois Veterans Memorial Fund, the Korean War Veterans  
17 National Museum and Library Fund, the American Diabetes  
18 Association Research Fund, and the Asthma and Lung Research  
19 Fund; and shall notify the State Comptroller and the State  
20 Treasurer of the amounts to be transferred from the General  
21 Revenue Fund to each fund, and upon receipt of such  
22 notification the State Treasurer and Comptroller shall  
23 transfer the amounts.

24 (Source: P.A. 92-84, eff. 7-1-02; 92-198, eff. 8-1-01; 92-651,  
25 eff. 7-11-02; 92-772, eff. 8-6-02; 92-886, eff. 2-7-03; 93-36,  
26 eff. 6-24-03; 93-131, eff. 7-10-03; 93-292, eff. 7-22-03;  
27 93-324, eff. 7-23-03; revised 9-8-03.)

28 Section 99. Effective date. This Act takes effect upon  
29 becoming law.