



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB0993

Introduced 2/3/2005, by Rep. William Davis

SYNOPSIS AS INTRODUCED:

20 ILCS 1305/10-13 new
30 ILCS 105/5.640 new
35 ILCS 5/507EE 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.

LRB094 05528 BDD 35577 b

FISCAL NOTE ACT
MAY APPLY

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 5.640 as follows:

15 (30 ILCS 105/5.640 new)

16 Sec. 5.640. 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 507EE as
20 follows:

21 (35 ILCS 5/507EE new)

22 Sec. 507EE. The American Diabetes Association checkoff.
23 For taxable years ending on or after December 31, 2005, 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 94th 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, the Illinois Military Family
23 Relief Fund, the Illinois Veterans' Homes Fund, the American
24 Diabetes Association Research Fund, and the Asthma and Lung
25 Research Fund.

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

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

1 refunded to the taxpayer.

2 (Source: P.A. 92-84, eff. 7-1-02; 92-198, eff. 8-1-01; 92-651,
3 eff. 7-11-02; 92-772, eff. 8-6-02; 92-886, eff. 2-7-03; 93-36,
4 eff. 6-24-03; 93-131, eff. 7-10-03; 93-292, eff. 7-22-03;
5 93-324, eff. 7-23-03; 93-776, eff. 7-21-04.)

6 (35 ILCS 5/510) (from Ch. 120, par. 5-510)

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

25 (Source: P.A. 92-84, eff. 7-1-02; 92-198, eff. 8-1-01; 92-651,
26 eff. 7-11-02; 92-772, eff. 8-6-02; 92-886, eff. 2-7-03; 93-36,
27 eff. 6-24-03; 93-131, eff. 7-10-03; 93-292, eff. 7-22-03;
28 93-324, eff. 7-23-03; 93-776, eff. 7-21-04.)

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