



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

**HB1449**

Introduced 2/21/2007, by Rep. Elizabeth Hernandez

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2310/2310-635 new

30 ILCS 105/5.675 new

35 ILCS 5/507PP new

35 ILCS 5/509

from Ch. 120, par. 5-509

35 ILCS 5/510

from Ch. 120, par. 5-510

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois, the State Finance Act, and the Illinois Income Tax Act. Authorizes the Department of Public Health to use moneys in the Healthy Smiles Fund to secure federal matching grants for activities relating to school-based, school-linked oral health programs. Creates the Healthy Smiles Fund as a special fund in the State treasury and creates an income tax return checkoff for the fund. Effective immediately.

LRB095 08917 JAM 29104 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Department of Public Health Powers and  
5 Duties Law of the Civil Administrative Code of Illinois is  
6 amended by adding Section 2310-635 as follows:

7 (20 ILCS 2310/2310-635 new)

8 Sec. 2310-635. Healthy Smiles Fund; grants. Subject to  
9 appropriation, the Department of Public Health has the power to  
10 make grants or use moneys in the Healthy Smiles Fund, a special  
11 fund created in the State treasury, to secure federal matching  
12 grants to provide for quality assurance program evaluation  
13 activities for school-based, school-linked oral health  
14 programs operating under the auspices of either the Department  
15 of Public Health or the Department of Healthcare and Family  
16 Services. The State Treasurer shall accept and deposit into the  
17 Fund all gifts, grants, transfers, appropriations, and other  
18 amounts from any legal source, public or private, that are  
19 designated for deposit into the Fund.

20 Section 10. The State Finance Act is amended by adding  
21 Section 5.675 as follows:

1 (30 ILCS 105/5.675 new)

2 Sec. 5.675. Health Smiles Fund.

3 Section 15. The Illinois Income Tax Act is amended by  
4 changing Sections 509 and 510 and by adding Section 507PP as  
5 follows:

6 (35 ILCS 5/507PP new)

7 Sec. 507PP. The Healthy Smiles Fund checkoff. For taxable  
8 years ending on or after December 31, 2007, the Department must  
9 print on its standard individual income tax form a provision  
10 indicating that if the taxpayer wishes to contribute to the  
11 Healthy Smiles Fund, as authorized by this amendatory Act of  
12 the 95th General Assembly, he or she may do so by stating the  
13 amount of the contribution (not less than \$1) on the return and  
14 that the contribution will reduce the taxpayer's refund or  
15 increase the amount of payment to accompany the return. Failure  
16 to remit any amount of increased payment shall reduce the  
17 contribution accordingly. This Section does not apply to any  
18 amended return.

19 (35 ILCS 5/509) (from Ch. 120, par. 5-509)

20 Sec. 509. Tax checkoff explanations. All individual income  
21 tax return forms shall contain appropriate explanations and  
22 spaces to enable the taxpayers to designate contributions to  
23 the following funds: the Child Abuse Prevention Fund, the

1 Illinois Wildlife Preservation Fund (as required by the  
2 Illinois Non-Game Wildlife Protection Act), the Alzheimer's  
3 Disease Research Fund (as required by the Alzheimer's Disease  
4 Research Act), the Assistance to the Homeless Fund (as required  
5 by this Act), the Penny Severns Breast and Cervical Cancer  
6 Research Fund, the National World War II Memorial Fund, the  
7 Prostate Cancer Research Fund, the Lou Gehrig's Disease (ALS)  
8 Research Fund, the Multiple Sclerosis Assistance Fund, the  
9 Sarcoidosis Research Fund, the Leukemia Treatment and  
10 Education Fund, the World War II Illinois Veterans Memorial  
11 Fund, the Korean War Veterans National Museum and Library Fund,  
12 the Illinois Military Family Relief Fund, the Blindness  
13 Prevention Fund, the Illinois Veterans' Homes Fund, the  
14 Epilepsy Treatment and Education Grants-in-Aid Fund, the  
15 Diabetes Research Checkoff Fund, the Vince Demuzio Memorial  
16 Colon Cancer Fund, the Autism Research Fund, the Heartsaver AED  
17 Fund, the Asthma and Lung Research Fund, the Healthy Smiles  
18 Fund, and the Illinois Brain Tumor Research Fund.

19 Each form shall contain a statement that the contributions  
20 will reduce the taxpayer's refund or increase the amount of  
21 payment to accompany the return. Failure to remit any amount of  
22 increased payment shall reduce the contribution accordingly.

23 If, on October 1 of any year, the total contributions to  
24 any one of the funds made under this Section do not equal  
25 \$100,000 or more, the explanations and spaces for designating  
26 contributions to the fund shall be removed from the individual

1 income tax return forms for the following and all subsequent  
2 years and all subsequent contributions to the fund shall be  
3 refunded to the taxpayer.

4 (Source: P.A. 93-36, eff. 6-24-03; 93-131, eff. 7-10-03;  
5 93-292, eff. 7-22-03; 93-324, eff. 7-23-03; 93-776, eff.  
6 7-21-04; 94-73, eff. 6-23-05; 94-107, eff. 7-1-05; 94-141, eff.  
7 1-1-06; 94-142, eff. 1-1-06; 94-442, eff. 8-4-05; 94-602, eff.  
8 8-16-05; 94-649, eff. 8-22-05; 94-876, eff. 6-19-06; revised  
9 8-3-06.)

10 (35 ILCS 5/510) (from Ch. 120, par. 5-510)

11 Sec. 510. Determination of amounts contributed. The  
12 Department shall determine the total amount contributed to each  
13 of the following: the Child Abuse Prevention Fund, the Illinois  
14 Wildlife Preservation Fund, the Assistance to the Homeless  
15 Fund, the Alzheimer's Disease Research Fund, the Penny Severns  
16 Breast and Cervical Cancer Research Fund, the National World  
17 War II Memorial Fund, the Prostate Cancer Research Fund, the  
18 Illinois Military Family Relief Fund, the Lou Gehrig's Disease  
19 (ALS) Research Fund, the Multiple Sclerosis Assistance Fund,  
20 the Sarcoidosis Research Fund, the Leukemia Treatment and  
21 Education Fund, the World War II Illinois Veterans Memorial  
22 Fund, the Korean War Veterans National Museum and Library Fund,  
23 the Illinois Veterans' Homes Fund, the Epilepsy Treatment and  
24 Education Grants-in-Aid Fund, the Diabetes Research Checkoff  
25 Fund, the Vince Demuzio Memorial Colon Cancer Fund, the Autism

1 Research Fund, the Blindness Prevention Fund, the Heartsaver  
2 AED Fund, the Healthy Smiles Fund, the Asthma and Lung Research  
3 Fund, and the Illinois Brain Tumor Research Fund; and shall  
4 notify the State Comptroller and the State Treasurer of the  
5 amounts to be transferred from the General Revenue Fund to each  
6 fund, and upon receipt of such notification the State Treasurer  
7 and Comptroller shall transfer the amounts.

8 (Source: P.A. 93-36, eff. 6-24-03; 93-131, eff. 7-10-03;  
9 93-292, eff. 7-22-03; 93-324, eff. 7-23-03; 93-776, eff.  
10 7-21-04; 94-73, eff. 6-23-05; 94-107, eff. 7-1-05; 94-141, eff.  
11 1-1-06; 94-142, eff. 1-1-06; 94-442, eff. 8-4-05; 94-602, eff.  
12 8-16-05; 94-649, eff. 8-22-05; 94-876, eff. 6-19-06; revised  
13 8-3-06.)

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.