

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 Department of Public Health Powers and  
5 Duties Law of the Civil Administrative Code of Illinois is  
6 amended by adding Section 2310-361 as follows:

7 (20 ILCS 2310/2310-361 new)

8 Sec. 2310-361. The Autoimmune Disease Research Fund.

9 (a) The Autoimmune Disease Research Fund is created as a  
10 special fund in the State treasury. From appropriations to the  
11 Department from the Fund, the Department shall make grants to  
12 public and private entities in the State for the purpose of  
13 funding research for the treatment and cure of autoimmune  
14 diseases.

15 (b) For the purposes of this Section:

16 "Autoimmune disease" means any disease that results from an  
17 aberrant immune response, including, without limitation,  
18 rheumatoid arthritis, systemic lupus erythematosus, and  
19 scleroderma.

20 "Research" includes, without limitation, expenditures to  
21 develop and advance the understanding, techniques, and  
22 modalities effective in the detection, prevention, screening,  
23 and treatment of autoimmune disease and may include clinical

1 trials. "Research" does not include institutional overhead  
2 costs, indirect costs, other organizational levies, or costs of  
3 community-based support services.

4 (c) Moneys received for the purposes of this Section,  
5 including, without limitation, income tax checkoff receipts  
6 and gifts, grants, and awards from any public or private  
7 entity, must be deposited into the Fund. Any interest earnings  
8 that are attributable to moneys in the Fund must be deposited  
9 into the Fund.

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

12 (30 ILCS 105/5.675 new)

13 Sec. 5.675. The Autoimmune Disease Research Fund.

14 Section 15. The Illinois Income Tax Act is amended by  
15 adding Sections 50700 and 509.1 and by changing Sections 509  
16 and 510 as follows:

17 (35 ILCS 5/50700 new)

18 Sec. 50700. The autoimmune disease research checkoff. For  
19 taxable years ending on or after December 31, 2007, the  
20 Department shall print, on its standard individual income tax  
21 form, a provision indicating that, if the taxpayer wishes to  
22 contribute to the Autoimmune Disease Research Fund, as

1 authorized by this amendatory Act of the 95th General Assembly,  
2 then he or she may do so by stating the amount of the  
3 contribution (not less than \$1) on the return and indicating  
4 that the contribution will reduce the taxpayer's refund or  
5 increase the amount of payment to accompany the return. The  
6 taxpayer's failure to remit any amount of the increased payment  
7 reduces the contribution accordingly. This Section does not  
8 apply to any amended return.

9 (35 ILCS 5/509) (from Ch. 120, par. 5-509)

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

1 ~~the Illinois Military Family Relief Fund, the Blindness~~  
2 ~~Prevention Fund, the Illinois Veterans' Homes Fund, the~~  
3 ~~Epilepsy Treatment and Education Grants in Aid Fund, the~~  
4 ~~Diabetes Research Checkoff Fund, the Vince Demuzio Memorial~~  
5 ~~Colon Cancer Fund, the Autism Research Fund, the Heartsaver AED~~  
6 ~~Fund, the Asthma and Lung Research Fund, and the Illinois Brain~~  
7 ~~Tumor Research Fund.~~

8 Each form shall contain a statement that the contributions  
9 will reduce the taxpayer's refund or increase the amount of  
10 payment to accompany the return. Failure to remit any amount of  
11 increased payment shall reduce the contribution accordingly.

12 If, on October 1 of any year, the total contributions to  
13 any one of the funds made under this Article 5 Section do not  
14 equal \$100,000 or more, the explanations and spaces for  
15 designating contributions to the fund shall be removed from the  
16 individual income tax return forms for the following and all  
17 subsequent years and all subsequent contributions to the fund  
18 shall be refunded to the taxpayer.

19 (Source: P.A. 93-36, eff. 6-24-03; 93-131, eff. 7-10-03;  
20 93-292, eff. 7-22-03; 93-324, eff. 7-23-03; 93-776, eff.  
21 7-21-04; 94-73, eff. 6-23-05; 94-107, eff. 7-1-05; 94-141, eff.  
22 1-1-06; 94-142, eff. 1-1-06; 94-442, eff. 8-4-05; 94-602, eff.  
23 8-16-05; 94-649, eff. 8-22-05; 94-876, eff. 6-19-06; revised  
24 8-3-06.)

1       Sec. 509.1. Removal of excess tax-checkoff funds.  
2       Notwithstanding any provisions of this Act to the contrary,  
3       beginning on the effective date of this amendatory Act of the  
4       95th General Assembly, there may not be more than 15  
5       tax-checkoff funds contained on the individual tax return form  
6       at any one time. Each year, the Department shall determine  
7       whether the sum of (i) the number of new tax-checkoff funds  
8       created by the General Assembly during that year plus (ii) the  
9       number of tax-checkoff funds that collected at least \$100,000  
10       during the previous year exceeds 15. If so, then the Department  
11       shall remove a number of tax-checkoff funds that were on the  
12       return during the previous year that is equal to the sum of  
13       items (i) and (ii) minus 15, starting with the tax-checkoff  
14       fund that received the least amount of contributions and  
15       working upward until a sufficient number of funds have been  
16       removed.

17           (35 ILCS 5/510) (from Ch. 120, par. 5-510)

18       Sec. 510. Determination of amounts contributed. The  
19       Department shall determine the total amount contributed to each  
20       of the funds under this Article 5 ~~following: the Child Abuse~~  
21       ~~Prevention Fund, the Illinois Wildlife Preservation Fund, the~~  
22       ~~Assistance to the Homeless Fund, the Alzheimer's Disease~~  
23       ~~Research Fund, the Penny Severns Breast and Cervical Cancer~~  
24       ~~Research Fund, the National World War II Memorial Fund, the~~  
25       ~~Prostate Cancer Research Fund, the Illinois Military Family~~

1 ~~Relief Fund, the Lou Gehrig's Disease (ALS) Research Fund, the~~  
2 ~~Multiple Sclerosis Assistance Fund, the Sarcoidosis Research~~  
3 ~~Fund, the Leukemia Treatment and Education Fund, the World War~~  
4 ~~II Illinois Veterans Memorial Fund, the Korean War Veterans~~  
5 ~~National Museum and Library Fund, the Illinois Veterans' Homes~~  
6 ~~Fund, the Epilepsy Treatment and Education Grants in Aid Fund,~~  
7 ~~the Diabetes Research Checkoff Fund, the Vince Demuzio Memorial~~  
8 ~~Colon Cancer Fund, the Autism Research Fund, the Blindness~~  
9 ~~Prevention Fund, the Heartsaver AED Fund, the Asthma and Lung~~  
10 ~~Research Fund, and the Illinois Brain Tumor Research Fund,~~ and

11 shall notify the State Comptroller and the State Treasurer of  
12 the amounts to be transferred from the General Revenue Fund to  
13 each fund, and upon receipt of such notification the State  
14 Treasurer and Comptroller shall transfer the amounts.

15 (Source: P.A. 93-36, eff. 6-24-03; 93-131, eff. 7-10-03;  
16 93-292, eff. 7-22-03; 93-324, eff. 7-23-03; 93-776, eff.  
17 7-21-04; 94-73, eff. 6-23-05; 94-107, eff. 7-1-05; 94-141, eff.  
18 1-1-06; 94-142, eff. 1-1-06; 94-442, eff. 8-4-05; 94-602, eff.  
19 8-16-05; 94-649, eff. 8-22-05; 94-876, eff. 6-19-06; revised  
20 8-3-06.)

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.