



Sen. Deanna Demuzio

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1 AMENDMENT TO SENATE BILL 797

2 AMENDMENT NO. _____. Amend Senate Bill 797 by replacing
3 everything after the enacting clause with the following:

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

1 aberrant immune response, including, without limitation,
2 rheumatoid arthritis, systemic lupus erythematosus, and
3 scleroderma.

4 "Research" includes, without limitation, expenditures to
5 develop and advance the understanding, techniques, and
6 modalities effective in the detection, prevention, screening,
7 and treatment of autoimmune disease and may include clinical
8 trials. "Research" does not include institutional overhead
9 costs, indirect costs, other organizational levies, or costs of
10 community-based-support services.

11 (c) Moneys received for the purposes of this Section,
12 including, without limitation, income tax checkoff receipts
13 and gifts, grants, and awards from any public or private
14 entity, must be deposited into the Fund. Any interest earnings
15 that are attributable to moneys in the Fund must be deposited
16 into the Fund.

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

19 (30 ILCS 105/5.675 new)

20 Sec. 5.675. The Autoimmune Disease Research Fund.

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

1 (35 ILCS 5/50700 new)

2 Sec. 50700. The autoimmune disease research checkoff. For
3 taxable years ending on or after December 31, 2007, the
4 Department shall print, on its standard individual income tax
5 form, a provision indicating that, if the taxpayer wishes to
6 contribute to the Autoimmune Disease Research Fund, as
7 authorized by this amendatory Act of the 95th General Assembly,
8 then he or she may do so by stating the amount of the
9 contribution (not less than \$1) on the return and indicating
10 that the contribution will reduce the taxpayer's refund or
11 increase the amount of payment to accompany the return. The
12 taxpayer's failure to remit any amount of the increased payment
13 reduces the contribution accordingly. This Section does not
14 apply to any amended return.

15 (35 ILCS 5/509) (from Ch. 120, par. 5-509)

16 Sec. 509. Tax checkoff explanations. All individual income
17 tax return forms shall contain appropriate explanations and
18 spaces to enable the taxpayers to designate contributions to
19 the funds to which contributions may be made under this Article
20 5. following funds: the Child Abuse Prevention Fund, the
21 Illinois Wildlife Preservation Fund (as required by the
22 Illinois Non Game Wildlife Protection Act), the Alzheimer's
23 Disease Research Fund (as required by the Alzheimer's Disease
24 Research Act), the Assistance to the Homeless Fund (as required

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

15 Each form shall contain a statement that the contributions
16 will reduce the taxpayer's refund or increase the amount of
17 payment to accompany the return. Failure to remit any amount of
18 increased payment shall reduce the contribution accordingly.

19 If, on October 1 of any year, the total contributions to
20 any one of the funds made under this Article 5 ~~Section~~ do not
21 equal \$100,000 or more, the explanations and spaces for
22 designating contributions to the fund shall be removed from the
23 individual income tax return forms for the following and all
24 subsequent years and all subsequent contributions to the fund
25 shall be refunded to the taxpayer.

26 (Source: P.A. 93-36, eff. 6-24-03; 93-131, eff. 7-10-03;

1 93-292, eff. 7-22-03; 93-324, eff. 7-23-03; 93-776, eff.
2 7-21-04; 94-73, eff. 6-23-05; 94-107, eff. 7-1-05; 94-141, eff.
3 1-1-06; 94-142, eff. 1-1-06; 94-442, eff. 8-4-05; 94-602, eff.
4 8-16-05; 94-649, eff. 8-22-05; 94-876, eff. 6-19-06; revised
5 8-3-06.)

6 (35 ILCS 5/509.1 new)

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

23 (35 ILCS 5/510) (from Ch. 120, par. 5-510)

24 Sec. 510. Determination of amounts contributed. The

1 Department shall determine the total amount contributed to each
2 of the funds under this Article 5 ~~following: the Child Abuse~~
3 ~~Prevention Fund, the Illinois Wildlife Preservation Fund, the~~
4 ~~Assistance to the Homeless Fund, the Alzheimer's Disease~~
5 ~~Research Fund, the Penny Severns Breast and Cervical Cancer~~
6 ~~Research Fund, the National World War II Memorial Fund, the~~
7 ~~Prostate Cancer Research Fund, the Illinois Military Family~~
8 ~~Relief Fund, the Lou Gehrig's Disease (ALS) Research Fund, the~~
9 ~~Multiple Sclerosis Assistance Fund, the Sarcoidosis Research~~
10 ~~Fund, the Leukemia Treatment and Education Fund, the World War~~
11 ~~II Illinois Veterans Memorial Fund, the Korean War Veterans~~
12 ~~National Museum and Library Fund, the Illinois Veterans' Homes~~
13 ~~Fund, the Epilepsy Treatment and Education Grants in Aid Fund,~~
14 ~~the Diabetes Research Checkoff Fund, the Vince Demuzio Memorial~~
15 ~~Colon Cancer Fund, the Autism Research Fund, the Blindness~~
16 ~~Prevention Fund, the Heartsaver AED Fund, the Asthma and Lung~~
17 ~~Research Fund, and the Illinois Brain Tumor Research Fund;~~ and
18 shall notify the State Comptroller and the State Treasurer of
19 the amounts to be transferred from the General Revenue Fund to
20 each fund, and upon receipt of such notification the State
21 Treasurer and Comptroller shall transfer the amounts.

22 (Source: P.A. 93-36, eff. 6-24-03; 93-131, eff. 7-10-03;
23 93-292, eff. 7-22-03; 93-324, eff. 7-23-03; 93-776, eff.
24 7-21-04; 94-73, eff. 6-23-05; 94-107, eff. 7-1-05; 94-141, eff.
25 1-1-06; 94-142, eff. 1-1-06; 94-442, eff. 8-4-05; 94-602, eff.
26 8-16-05; 94-649, eff. 8-22-05; 94-876, eff. 6-19-06; revised

1 8-3-06.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.".