

SB3037



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3037

Introduced 2/4/2010, by Sen. Mattie Hunter

SYNOPSIS AS INTRODUCED:

20 ILCS 1605/21.5
20 ILCS 2310/2310-347
30 ILCS 105/5.646
30 ILCS 105/8h

Amends the Illinois Lottery Law, the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois, and the State Finance Act. Changes the name of the "Ticket For The Cure Fund" to the "Carolyn Adams Ticket For The Cure Grant Fund". Effective immediately.

LRB096 19844 HLH 35296 b

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 Illinois Lottery Law is amended by changing
5 Section 21.5 as follows:

6 (20 ILCS 1605/21.5)

7 Sec. 21.5. Ticket For The Cure.

8 (a) The Department shall offer a special instant
9 scratch-off game with the title of "Ticket For The Cure". The
10 game shall commence on January 1, 2006 or as soon thereafter,
11 in the discretion of the Director, as is reasonably practical,
12 and shall be discontinued on December 31, 2011. The operation
13 of the game shall be governed by this Act and any rules adopted
14 by the Department. The Department must consult with the Ticket
15 For The Cure Board, which is established under Section 2310-347
16 of the Department of Public Health Powers and Duties Law of the
17 Civil Administrative Code of Illinois, regarding the design and
18 promotion of the game. If any provision of this Section is
19 inconsistent with any other provision of this Act, then this
20 Section governs.

21 (b) The Carolyn Adams Ticket For The Cure Grant Fund ~~The~~
22 ~~Ticket For The Cure Fund~~ is created as a special fund in the
23 State treasury. The net revenue from the Ticket For The Cure

1 special instant scratch-off game shall be deposited into the
2 Fund for appropriation by the General Assembly solely to the
3 Department of Public Health for the purpose of making grants to
4 public or private entities in Illinois for the purpose of
5 funding research concerning breast cancer and for funding
6 services for breast cancer victims. The Department must, before
7 grants are awarded, provide copies of all grant applications to
8 the Ticket For The Cure Board, receive and review the Board's
9 recommendations and comments, and consult with the Board
10 regarding the grants. For purposes of this Section, the term
11 "research" includes, without limitation, expenditures to
12 develop and advance the understanding, techniques, and
13 modalities effective in the detection, prevention, screening,
14 and treatment of breast cancer and may include clinical trials.
15 The grant funds may not be used for institutional,
16 organizational, or community-based overhead costs, indirect
17 costs, or levies.

18 Moneys received for the purposes of this Section,
19 including, without limitation, net revenue from the special
20 instant scratch-off game and gifts, grants, and awards from any
21 public or private entity, must be deposited into the Fund. Any
22 interest earned on moneys in the Fund must be deposited into
23 the Fund.

24 For purposes of this subsection, "net revenue" means the
25 total amount for which tickets have been sold less the sum of
26 the amount paid out in prizes and the actual administrative

1 expenses of the Department solely related to the Ticket For The
2 Cure game.

3 (c) During the time that tickets are sold for the Ticket
4 For The Cure game, the Department shall not unreasonably
5 diminish the efforts devoted to marketing any other instant
6 scratch-off lottery game.

7 (d) The Department may adopt any rules necessary to
8 implement and administer the provisions of this Section.

9 (Source: P.A. 94-120, eff. 7-6-05.)

10 Section 10. The Department of Public Health Powers and
11 Duties Law of the Civil Administrative Code of Illinois is
12 amended by adding Section 2310-347 as follows:

13 (20 ILCS 2310/2310-347)

14 Sec. 2310-347. The Ticket For The Cure Board.

15 (a) The Ticket For The Cure Board is created as an advisory
16 board within the Department. The Board shall consist of 10
17 members as follows: 2 members appointed by the President of the
18 Senate; 2 members appointed by the Minority Leader of the
19 Senate; 2 members appointed by the Speaker of the House of
20 Representatives; 2 members appointed by the Minority Leader of
21 the House of Representatives; and 2 members appointed by the
22 Governor with the advice and consent of the Senate, one of whom
23 shall be designated as chair of the Board at the time of
24 appointment.

1 If a vacancy occurs in the Board membership, the vacancy
2 shall be filled in the same manner as the initial appointment.

3 (b) Board members shall serve without compensation but may
4 be reimbursed for their reasonable travel expenses from funds
5 available for that purpose. The Department shall provide staff
6 and administrative support services to the Board.

7 (c) The Board must:

8 (i) consult with the Department of Revenue in designing
9 and promoting the Ticket For The Cure special instant
10 scratch-off lottery game; and

11 (ii) review grant applications, make recommendations
12 and comments, and consult with the Department of Public
13 Health in making grants, from amounts appropriated from the
14 Carolyn Adams Ticket For The Cure Grant Fund ~~Ticket For The~~
15 ~~Cure Fund~~, to public or private entities in Illinois for
16 the purpose of funding research concerning breast cancer
17 and for funding services for breast cancer victims in
18 accordance with Section 21.5 of the Illinois Lottery Law.

19 (d) The Board is discontinued on June 30, 2012.

20 (Source: P.A. 94-120, eff. 7-6-05.)

21 Section 15. The State Finance Act is amended by changing
22 Sections 5.646 and 8h as follows:

23 (30 ILCS 105/5.646)

24 Sec. 5.646. The Carolyn Adams Ticket For The Cure Grant

1 ~~Fund The Ticket For The Cure Fund.~~

2 (Source: P.A. 94-120, eff. 7-6-05; 95-331, eff. 8-21-07.)

3 (30 ILCS 105/8h)

4 Sec. 8h. Transfers to General Revenue Fund.

5 (a) Except as otherwise provided in this Section and
6 Section 8n of this Act, and notwithstanding any other State law
7 to the contrary, the Governor may, through June 30, 2007, from
8 time to time direct the State Treasurer and Comptroller to
9 transfer a specified sum from any fund held by the State
10 Treasurer to the General Revenue Fund in order to help defray
11 the State's operating costs for the fiscal year. The total
12 transfer under this Section from any fund in any fiscal year
13 shall not exceed the lesser of (i) 8% of the revenues to be
14 deposited into the fund during that fiscal year or (ii) an
15 amount that leaves a remaining fund balance of 25% of the July
16 1 fund balance of that fiscal year. In fiscal year 2005 only,
17 prior to calculating the July 1, 2004 final balances, the
18 Governor may calculate and direct the State Treasurer with the
19 Comptroller to transfer additional amounts determined by
20 applying the formula authorized in Public Act 93-839 to the
21 funds balances on July 1, 2003. No transfer may be made from a
22 fund under this Section that would have the effect of reducing
23 the available balance in the fund to an amount less than the
24 amount remaining unexpended and unreserved from the total
25 appropriation from that fund estimated to be expended for that

1 fiscal year. This Section does not apply to any funds that are
2 restricted by federal law to a specific use, to any funds in
3 the Motor Fuel Tax Fund, the Intercity Passenger Rail Fund, the
4 Hospital Provider Fund, the Medicaid Provider Relief Fund, the
5 Teacher Health Insurance Security Fund, the Voters' Guide Fund,
6 the Foreign Language Interpreter Fund, the Lawyers' Assistance
7 Program Fund, the Supreme Court Federal Projects Fund, the
8 Supreme Court Special State Projects Fund, the Supplemental
9 Low-Income Energy Assistance Fund, the Good Samaritan Energy
10 Trust Fund, the Low-Level Radioactive Waste Facility
11 Development and Operation Fund, the Horse Racing Equity Trust
12 Fund, the Metabolic Screening and Treatment Fund, or the
13 Hospital Basic Services Preservation Fund, or to any funds to
14 which Section 70-50 of the Nurse Practice Act applies. No
15 transfers may be made under this Section from the Pet
16 Population Control Fund. Notwithstanding any other provision
17 of this Section, for fiscal year 2004, the total transfer under
18 this Section from the Road Fund or the State Construction
19 Account Fund shall not exceed the lesser of (i) 5% of the
20 revenues to be deposited into the fund during that fiscal year
21 or (ii) 25% of the beginning balance in the fund. For fiscal
22 year 2005 through fiscal year 2007, no amounts may be
23 transferred under this Section from the Road Fund, the State
24 Construction Account Fund, the Criminal Justice Information
25 Systems Trust Fund, the Wireless Service Emergency Fund, or the
26 Mandatory Arbitration Fund.

1 In determining the available balance in a fund, the
2 Governor may include receipts, transfers into the fund, and
3 other resources anticipated to be available in the fund in that
4 fiscal year.

5 The State Treasurer and Comptroller shall transfer the
6 amounts designated under this Section as soon as may be
7 practicable after receiving the direction to transfer from the
8 Governor.

9 (a-5) Transfers directed to be made under this Section on
10 or before February 28, 2006 that are still pending on May 19,
11 2006 (the effective date of Public Act 94-774) shall be
12 redirected as provided in Section 8n of this Act.

13 (b) This Section does not apply to: (i) the Carolyn Adams
14 Ticket For The Cure Grant Fund ~~Ticket For The Cure Fund~~; (ii)
15 any fund established under the Community Senior Services and
16 Resources Act; or (iii) on or after January 1, 2006 (the
17 effective date of Public Act 94-511), the Child Labor and Day
18 and Temporary Labor Enforcement Fund.

19 (c) This Section does not apply to the Demutualization
20 Trust Fund established under the Uniform Disposition of
21 Unclaimed Property Act.

22 (d) This Section does not apply to moneys set aside in the
23 Illinois State Podiatric Disciplinary Fund for podiatric
24 scholarships and residency programs under the Podiatric
25 Scholarship and Residency Act.

26 (e) Subsection (a) does not apply to, and no transfer may

1 be made under this Section from, the Pension Stabilization
2 Fund.

3 (f) Subsection (a) does not apply to, and no transfer may
4 be made under this Section from, the Illinois Power Agency
5 Operations Fund, the Illinois Power Agency Facilities Fund, the
6 Illinois Power Agency Debt Service Fund, and the Illinois Power
7 Agency Trust Fund.

8 (g) This Section does not apply to the Veterans Service
9 Organization Reimbursement Fund.

10 (h) This Section does not apply to the Supreme Court
11 Historic Preservation Fund.

12 (i) This Section does not apply to, and no transfer may be
13 made under this Section from, the Money Follows the Person
14 Budget Transfer Fund.

15 (j) This Section does not apply to the Domestic Violence
16 Shelter and Service Fund.

17 (k) ~~(j)~~ This Section does not apply to the Illinois
18 Historic Sites Fund and the Presidential Library and Museum
19 Operating Fund.

20 (l) ~~(j)~~ This Section does not apply to the Trucking
21 Environmental and Education Fund.

22 (m) ~~(j)~~ This Section does not apply to the Roadside
23 Memorial Fund.

24 (n) ~~(j)~~ This Section does not apply to the Department of
25 Human Rights Special Fund.

26 (Source: P.A. 95-331, eff. 8-21-07; 95-410, eff. 8-24-07;

1 95-481, eff. 8-28-07; 95-629, eff. 9-25-07; 95-639, eff.
2 10-5-07; 95-695, eff. 11-5-07; 95-744, eff. 7-18-08; 95-876,
3 eff. 8-21-08; 96-302, eff. 1-1-10; 96-450, eff. 8-14-09;
4 96-511, eff. 8-14-09; 96-576, eff. 8-18-09; 96-667, eff.
5 8-25-09; 96-786, eff. 1-1-10; revised 10-6-09.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.