



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB2489

Introduced 10/12/2011, by Sen. William E. Brady

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the State Finance Act. Provides that, if, under Article 5 of the Illinois Income Tax Act, the Department of Revenue prints on its standard individual income tax form a provision indicating that a taxpayer may contribute to a fund, then that fund is not subject to sweeps, administrative charge-backs, or any other fiscal or budgetary maneuver that would in any way transfer any amounts from that fund into any other fund of the State. Makes conforming changes. Amends the Department of Human Services Act, the Military Code of Illinois, the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois, the Department of Veterans Affairs Act, the Energy Assistance Act, the Epilepsy Disease Assistance Act, and the Illinois Public Health and Safety Animal Population Control Act to make conforming changes. Effective immediately.

LRB097 12488 HLH 56972 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 Human Services Act is amended  
5 by changing Sections 10-6, 10-8, 10-30, and 10-65 as follows:

6 (20 ILCS 1305/10-6)

7 Sec. 10-6. The Crisis Nursery Fund. The Crisis Nursery Fund  
8 is created as a special fund in the State treasury. From  
9 appropriations to the Department from the Fund, the Department  
10 shall make grants, in equal amounts, to crisis nurseries  
11 located in Illinois. For the purposes of this Section, a  
12 "crisis nursery" is an organization licensed by the Department  
13 that operates on a continuous basis and provides immediate  
14 crisis child care, respite care, parent support, and parent  
15 education groups. A child care center does not qualify as a  
16 crisis nursery under this Section. Notwithstanding any other  
17 law to the contrary, the Crisis Nursery Fund is not subject to  
18 sweeps, administrative charge-backs, or any other fiscal or  
19 budgetary maneuver that would in any way transfer any amounts  
20 from the Crisis Nursery Fund into any other fund of the State.  
21 (Source: P.A. 96-627, eff. 8-24-09.)

22 (20 ILCS 1305/10-8)

1           Sec. 10-8. The Autism Research Fund; grants; scientific  
2 review committee. The Autism Research Fund is created as a  
3 special fund in the State treasury. From appropriations to the  
4 Department from the Fund, the Department must make grants to  
5 public or private entities in Illinois for the purpose of  
6 funding research concerning the disorder of autism. For  
7 purposes of this Section, the term "research" includes, without  
8 limitation, expenditures to develop and advance the  
9 understanding, techniques, and modalities effective in the  
10 detection, prevention, screening, and treatment of autism and  
11 may include clinical trials. No more than 20% of the grant  
12 funds may be used for institutional overhead costs, indirect  
13 costs, other organizational levies, or costs of  
14 community-based support services.

15           Moneys received for the purposes of this Section,  
16 including, without limitation, income tax checkoff receipts  
17 and gifts, grants, and awards from any public or private  
18 entity, must be deposited into the Fund. Any interest earned on  
19 moneys in the Fund must be deposited into the Fund.  
20 Notwithstanding any other law to the contrary, the Autism  
21 Research Fund is not subject to sweeps, administrative  
22 charge-backs, or any other fiscal or budgetary maneuver that  
23 would in any way transfer any amounts from the Autism Research  
24 Fund into any other fund of the State.

25           Each year, grantees of the grants provided under this  
26 Section must submit a written report to the Department that

1 sets forth the types of research that is conducted with the  
2 grant moneys and the status of that research.

3 The Department shall promulgate rules for the creation of a  
4 scientific review committee to review and assess applications  
5 for the grants authorized under this Section. The Committee  
6 shall serve without compensation.

7 (Source: P.A. 94-442, eff. 8-4-05; 95-331, eff. 8-21-07.)

8 (20 ILCS 1305/10-30)

9 Sec. 10-30. Grants for health related programs for people  
10 with multiple sclerosis. Subject to appropriation, the  
11 Department shall make grants to organizations that are located  
12 in the State of Illinois for health-related programs for people  
13 with multiple sclerosis from the Multiple Sclerosis Assistance  
14 Fund, a special fund created in the State treasury.  
15 Notwithstanding any other law to the contrary, the Multiple  
16 Sclerosis Assistance Fund is not subject to sweeps,  
17 administrative charge-backs, or any other fiscal or budgetary  
18 maneuver that would in any way transfer any amounts from the  
19 Multiple Sclerosis Assistance Fund into any other fund of the  
20 State.

21 (Source: P.A. 92-772, eff. 8-6-02.)

22 (20 ILCS 1305/10-65)

23 Sec. 10-65. Hunger Relief Fund; grants.

24 (a) The Hunger Relief Fund is created as a special fund in

1 the State treasury. From appropriations to the Department from  
2 the Fund, the Department shall make grants to food banks for  
3 the purpose of purchasing food and related supplies. In this  
4 Section, "food bank" means a public or charitable institution  
5 that maintains an established operation involving the  
6 provision of food or edible commodities, or the products of  
7 food or edible commodities, to food pantries, soup kitchens,  
8 hunger relief centers, or other food or feeding centers that,  
9 as an integral part of their normal activities, provide meals  
10 or food to feed needy persons on a regular basis.

11 (b) Moneys received for the purposes of this Section,  
12 including, without limitation, appropriations, gifts,  
13 donations, grants, and awards from any public or private entity  
14 must be deposited into the Fund. Any interest earned on moneys  
15 in the Fund must be deposited into the Fund. Notwithstanding  
16 any other law to the contrary, the Hunger Relief Fund is not  
17 subject to sweeps, administrative charge-backs, or any other  
18 fiscal or budgetary maneuver that would in any way transfer any  
19 amounts from the Hunger Relief Fund into any other fund of the  
20 State.

21 (Source: P.A. 96-604, eff. 8-24-09.)

22 Section 10. The Military Code of Illinois is amended by  
23 changing Section 22-9 as follows:

24 (20 ILCS 1805/22-9)

1           Sec. 22-9. Power to make grants from the Illinois Military  
2 Family Relief Fund. Subject to appropriation, the Department of  
3 Military Affairs shall have the power to make grants from the  
4 Illinois Military Family Relief Fund, a special fund created in  
5 the State treasury, to (i) members of the Illinois National  
6 Guard or Illinois residents who are members of the reserves of  
7 the armed forces of the United States who have been called to  
8 active duty as a result of the September 11, 2001 terrorist  
9 attacks; (ii) for the casualty-based grant only: Illinois  
10 National Guard members or Illinois residents who are members of  
11 the reserves of the armed forces of the United States and who,  
12 while deployed in support of operations as a result of the  
13 September 11th terrorist attacks, sustained an injury as a  
14 result of terrorist activity; sustained an injury in combat, or  
15 related to combat, as a direct result of hostile action; or  
16 sustained an injury going to or returning from a combat  
17 mission, provided that the incident leading to the injury was  
18 directly related to hostile action; this includes injuries to  
19 service members who are wounded mistakenly or accidentally by  
20 friendly fire directed at a hostile force or what is thought to  
21 be a hostile force; and (iii) families of the classes of  
22 persons listed in items (i) and (ii) of this Section. The  
23 Department of Military Affairs shall establish eligibility  
24 criteria for all grants by rule.

25           On and after the effective date of this amendatory Act of  
26 the 96th General Assembly, the Department must award at least

1 \$5,000 to each recipient of a casualty-based grant and must  
2 include Illinois residents who are active duty members of the  
3 armed forces of the United States in the eligibility for the  
4 casualty-based grant in item (ii) of this Section. Each  
5 recipient may receive only one casualty-based grant for  
6 injuries received during, or arising out of, the same  
7 engagement or incident.

8 Grants awarded from the Illinois Military Family Relief  
9 Fund shall not be subject to garnishment, wage levy,  
10 forfeiture, or other remedy, unless the denial of that remedy  
11 is inconsistent with the requirements of any other State or  
12 federal law.

13 In addition to amounts transferred into the Fund under  
14 Section 510 of the Illinois Income Tax Act, the State Treasurer  
15 shall accept and deposit into the Fund all gifts, grants,  
16 transfers, appropriations, and other amounts from any legal  
17 source, public or private, that are designated for deposit into  
18 the Fund. To prevent a delay of 30 or more days in the payment  
19 of casualty-based grants, the Department may use, for  
20 administration of the program, as much as 5% of the  
21 appropriations designated for the casualty-based grant  
22 program.

23 Notwithstanding any other law to the contrary, the Illinois  
24 Military Family Relief Fund is not subject to sweeps,  
25 administrative charge-backs, or any other fiscal or budgetary  
26 maneuver that would in any way transfer any amounts from the

1 Illinois Military Family Fund into any other fund of the State.

2 (Source: P.A. 96-822, eff. 11-23-09.)

3 Section 15. The Department of Public Health Powers and  
4 Duties Law of the Civil Administrative Code of Illinois is  
5 amended by changing Sections 2310-350, 2310-357, 2310-358,  
6 2310-359, 2310-361, 2310-362, 2310-371.5, 2310-373, 2310-398,  
7 2310-399, 2310-403, 2310-612, 2310-635, and 2310-642 as  
8 follows:

9 (20 ILCS 2310/2310-350) (was 20 ILCS 2310/55.70)

10 Sec. 2310-350. Penny Severns Breast, Cervical, and Ovarian  
11 Cancer Research Fund. From funds appropriated from the Penny  
12 Severns Breast, Cervical, and Ovarian Cancer Research Fund, the  
13 Department shall award grants to eligible physicians,  
14 hospitals, laboratories, education institutions, and other  
15 organizations and persons to enable organizations and persons  
16 to conduct research. Disbursements from the Penny Severns  
17 Breast, Cervical, and Ovarian Cancer Research Fund for the  
18 purpose of ovarian cancer research shall be subject to  
19 appropriations. For the purposes of this Section, "research"  
20 includes, but is not limited to, expenditures to develop and  
21 advance the understanding, techniques, and modalities  
22 effective in early detection, prevention, cure, screening, and  
23 treatment of breast, cervical, and ovarian cancer and may  
24 include clinical trials.



1 Moneys received for the purposes of this Section, including  
2 but not limited to income tax checkoff receipts and gifts,  
3 grants, and awards from private foundations, nonprofit  
4 organizations, other governmental entities, and persons shall  
5 be deposited into the Penny Severns Breast, Cervical, and  
6 Ovarian Cancer Research Fund, which is hereby created as a  
7 special fund in the State treasury. Notwithstanding any other  
8 law to the contrary, the Penny Severns Breast, Cervical, and  
9 Ovarian Cancer Research Fund is not subject to sweeps,  
10 administrative charge-backs, or any other fiscal or budgetary  
11 maneuver that would in any way transfer any amounts from the  
12 Penny Severns Breast, Cervical, and Ovarian Cancer Research  
13 Fund into any other fund of the State.

14 The Department shall create an advisory committee with  
15 members from, but not limited to, the Illinois Chapter of the  
16 American Cancer Society, Y-Me, the Susan G. Komen Foundation,  
17 and the State Board of Health for the purpose of awarding  
18 research grants under this Section. Members of the advisory  
19 committee shall not be eligible for any financial compensation  
20 or reimbursement.

21 (Source: P.A. 94-119, eff. 1-1-06.)

22 (20 ILCS 2310/2310-357)

23 Sec. 2310-357. Leukemia, lymphoma, and myeloma grants. The  
24 Department of Public Health may make grants to public and  
25 private hospitals, medical centers, medical schools, and other

1 organizations for education on and treatment of leukemia,  
2 lymphoma, and myeloma from appropriations to the Department  
3 from the Leukemia Treatment and Education Fund, a special fund  
4 created in the State treasury. Notwithstanding any other law to  
5 the contrary, the Leukemia Treatment and Education Fund is not  
6 subject to sweeps, administrative charge-backs, or any other  
7 fiscal or budgetary maneuver that would in any way transfer any  
8 amounts from the Leukemia Treatment and Education Fund into any  
9 other fund of the State.

10 (Source: P.A. 93-324, eff. 7-23-03.)

11 (20 ILCS 2310/2310-358)

12 Sec. 2310-358. Grants to the Les Turner ALS Foundation.  
13 Subject to appropriation, the Department of Public Health shall  
14 make grants from the Lou Gehrig's Disease (ALS) Research Fund,  
15 a special fund in the State treasury, to the Les Turner ALS  
16 Foundation for research on Amyotrophic Lateral Sclerosis  
17 (ALS). Notwithstanding any other law to the contrary, the Lou  
18 Gerhig's Disease (ALS) Research Fund is not subject to sweeps,  
19 administrative charge-backs, or any other fiscal or budgetary  
20 maneuver that would in any way transfer any amounts from the  
21 Lou Gerhig's Disease (ALS) Research Fund into any other fund of  
22 the State.

23 (Source: P.A. 93-36, eff. 6-24-03.)

24 (20 ILCS 2310/2310-359)

1           Sec. 2310-359. The Illinois Brain Tumor Research Fund. The  
2 Illinois Brain Tumor Research Fund is hereby created as a  
3 special fund in the State treasury. From appropriations to the  
4 Department from the Fund, the Department shall make grants to  
5 public and private entities for the purpose of research  
6 dedicated to the elimination of brain tumors. Notwithstanding  
7 any other law to the contrary, the Illinois Brain Tumor  
8 Research Fund is not subject to sweeps, administrative  
9 charge-backs, or any other fiscal or budgetary maneuver that  
10 would in any way transfer any amounts from the Illinois Brain  
11 Tumor Research Fund into any other fund of the State.

12       (Source: P.A. 94-649, eff. 8-22-05.)

13           (20 ILCS 2310/2310-361)

14           Sec. 2310-361. The Lung Cancer Research Fund. The Lung  
15 Cancer Research Fund is created as a special fund in the State  
16 treasury. From appropriations to the Department from the Fund,  
17 the Department shall make grants to public or private  
18 not-for-profit entities for the purpose of lung cancer  
19 research. Notwithstanding any other law to the contrary, the  
20 Lung Cancer Research Fund is not subject to sweeps,  
21 administrative charge-backs, or any other fiscal or budgetary  
22 maneuver that would in any way transfer any amounts from the  
23 Lung Cancer Research Fund into any other fund of the State.

24       (Source: P.A. 95-434, eff. 8-27-07; 95-876, eff. 8-21-08.)

1 (20 ILCS 2310/2310-362)

2 Sec. 2310-362. The Autoimmune Disease Research Fund.

3 (a) The Autoimmune Disease Research Fund is created as a  
4 special fund in the State treasury. From appropriations to the  
5 Department from the Fund, the Department shall make grants to  
6 public and private entities in the State for the purpose of  
7 funding research for the treatment and cure of autoimmune  
8 diseases.

9 (b) For the purposes of this Section:

10 "Autoimmune disease" means any disease that results from an  
11 aberrant immune response, including, without limitation,  
12 rheumatoid arthritis, systemic lupus erythematosus, and  
13 scleroderma.

14 "Research" includes, without limitation, expenditures to  
15 develop and advance the understanding, techniques, and  
16 modalities effective in the detection, prevention, screening,  
17 and treatment of autoimmune disease and may include clinical  
18 trials. "Research" does not include institutional overhead  
19 costs, indirect costs, other organizational levies, or costs of  
20 community-based support services.

21 (c) Moneys received for the purposes of this Section,  
22 including, without limitation, income tax checkoff receipts  
23 and gifts, grants, and awards from any public or private  
24 entity, must be deposited into the Fund. Any interest earnings  
25 that are attributable to moneys in the Fund must be deposited  
26 into the Fund. Notwithstanding any other law to the contrary,

1 the Autoimmune Disease Research Fund is not subject to sweeps,  
2 administrative charge-backs, or any other fiscal or budgetary  
3 maneuver that would in any way transfer any amounts from the  
4 Autoimmune Disease Research Fund into any other fund of the  
5 State.

6 (Source: P.A. 95-435, eff. 8-27-07; 95-876, eff. 8-21-08.)

7 (20 ILCS 2310/2310-371.5) (was 20 ILCS 2310/371)

8 Sec. 2310-371.5. Heartsaver AED Fund; grants. Subject to  
9 appropriation, the Department of Public Health has the power to  
10 make matching grants from the Heartsaver AED Fund, a special  
11 fund created in the State treasury, to any school in the State,  
12 public park district, forest preserve district, conservation  
13 district, municipal recreation department, college, or  
14 university to assist in the purchase of an Automated External  
15 Defibrillator. Applicants for AED grants must demonstrate that  
16 they have funds to pay 50% of the cost of the AEDs for which  
17 matching grant moneys are sought. Any school, public park  
18 district, forest preserve district, conservation district,  
19 municipal recreation department, college, or university  
20 applying for the grant shall not receive more than one grant  
21 from the Heartsaver AED Fund each fiscal year. The State  
22 Treasurer shall accept and deposit into the Fund all gifts,  
23 grants, transfers, appropriations, and other amounts from any  
24 legal source, public or private, that are designated for  
25 deposit into the Fund. Notwithstanding any other law to the

1 contrary, the Heartsaver AED Fund is not subject to sweeps,  
2 administrative charge-backs, or any other fiscal or budgetary  
3 maneuver that would in any way transfer any amounts from the  
4 Heartsaver AED Fund into any other fund of the State.

5 (Source: P.A. 95-331, eff. 8-21-07; 95-721, eff. 6-3-08.)

6 (20 ILCS 2310/2310-373)

7 Sec. 2310-373. The Asthma and Lung Research Fund. There is  
8 created in the State treasury the Asthma and Lung Research  
9 Fund. Subject to appropriation, the Department must make grants  
10 from the fund for the Asthma Clinical Research Program  
11 administered by the American Lung Association. Notwithstanding  
12 any other law to the contrary, the Asthma and Lung Research  
13 Fund is not subject to sweeps, administrative charge-backs, or  
14 any other fiscal or budgetary maneuver that would in any way  
15 transfer any amounts from the Asthma and Lung Research Fund  
16 into any other fund of the State.

17 (Source: P.A. 93-292, eff. 7-22-03.)

18 (20 ILCS 2310/2310-398) (was 20 ILCS 2310/55.91)

19 Sec. 2310-398. Prostate Cancer Research Fund; grants. From  
20 funds appropriated from the Prostate Cancer Research Fund, a  
21 special fund created in the State treasury, the Department of  
22 Public Health shall make grants to public or private entities  
23 in Illinois, which may include the Lurie Comprehensive Cancer  
24 Center at the Northwestern University Medical School and the

1 Kellogg Cancer Care Center at Evanston/Glenbrook Hospitals,  
2 for the purpose of funding research applicable to prostate  
3 cancer patients. The grant funds may not be used for  
4 institutional overhead costs, indirect costs, other  
5 organizational levies, or costs of community-based support  
6 services. Notwithstanding any other law to the contrary, the  
7 Prostate Cancer Research Fund is not subject to sweeps,  
8 administrative charge-backs, or any other fiscal or budgetary  
9 maneuver that would in any way transfer any amounts from the  
10 Prostate Cancer Research Fund into any other fund of the State.  
11 (Source: P.A. 91-104, eff. 7-13-99; 92-16, eff. 6-28-01.)

12 (20 ILCS 2310/2310-399)

13 Sec. 2310-399. Colon cancer awareness campaign; the Vince  
14 Demuzio Memorial Colon Cancer Fund.

15 (a) The Department must establish and maintain a public  
16 awareness campaign to target areas in Illinois with high colon  
17 cancer mortality rates. The campaign must be developed in  
18 conjunction with recommendations made by the American Cancer  
19 Society.

20 (b) The Vince Demuzio Memorial Colon Cancer Fund is created  
21 as a special fund in the State treasury. From appropriations to  
22 the Department from the Fund, the Department must operate the  
23 public awareness campaign set forth under subsection (a). The  
24 moneys from the Fund may not be used for institutional overhead  
25 costs, indirect costs, other organizational levies, or costs of

1 community-based support services.

2 Moneys received for the purposes of this Section,  
3 including, without limitation, income tax checkoff receipts  
4 and gifts, grants, and awards from any public or private  
5 entity, must be deposited into the Fund. Any interest earned on  
6 moneys in the Fund must be deposited into the Fund.  
7 Notwithstanding any other law to the contrary, the Vince  
8 Demuzio Memorial Colon Cancer Fund is not subject to sweeps,  
9 administrative charge-backs, or any other fiscal or budgetary  
10 maneuver that would in any way transfer any amounts from the  
11 Vince Demuzio Memorial Colon Cancer Fund into any other fund of  
12 the State.

13 (Source: P.A. 94-142, eff. 1-1-06.)

14 (20 ILCS 2310/2310-403)

15 Sec. 2310-403. Sarcoidosis Research Fund. To make grants  
16 for sarcoidosis research from appropriations to the Department  
17 from the Sarcoidosis Research Fund. Notwithstanding any other  
18 law to the contrary, the Sarcoidosis Research Fund is not  
19 subject to sweeps, administrative charge-backs, or any other  
20 fiscal or budgetary maneuver that would in any way transfer any  
21 amounts from the Sarcoidosis Research Fund into any other fund  
22 of the State.

23 (Source: P.A. 94-141, eff. 1-1-06.)

24 (20 ILCS 2310/2310-612)



1           Sec. 2310-612. Blindness prevention grants.

2           (a) From funds appropriated from the Blindness Prevention  
3 Fund, a special fund created in the State treasury, the  
4 Department must make grants to charitable or educational  
5 entities in Illinois for the purpose of funding (i) public  
6 education on the importance of eye care and the prevention of  
7 blindness and (ii) the provision of eye care to children,  
8 senior citizens, and other needy individuals whose needs are  
9 not covered by any other source of funds. Notwithstanding any  
10 other law to the contrary, the Blindness Prevention Fund is not  
11 subject to sweeps, administrative charge-backs, or any other  
12 fiscal or budgetary maneuver that would in any way transfer any  
13 amounts from the Blindness Prevention Fund into any other fund  
14 of the State.

15           (b) Grants under this Section must be awarded on both a  
16 statewide and regional basis, taking into consideration each  
17 region's contributions to the Fund. At least 25% of the grants  
18 must be made to regional grantees.

19           (c) A grant under this Section shall be made for a period  
20 of one year and, subject to the availability of funds, may be  
21 renewed by the Department.

22           (d) The Department must create an advisory committee to  
23 make recommendations to the Department concerning grant  
24 proposals. The advisory committee shall consist of one  
25 representative from the Illinois Society for the Prevention of  
26 Blindness, one licensed doctor of optometry, one member of the

1 Gateway Lions & Partners, one optometric educator from a school  
2 of optometry located within Illinois, and one member from the  
3 general public. Members of the advisory committee may not  
4 receive compensation or reimbursement for their services.  
5 Members of the committee must recuse themselves from  
6 consideration of any grant proposals submitted by any entity  
7 from which they were appointed.

8 (e) The Department must adopt any rules necessary to  
9 implement and administer this Section, including, without  
10 limitation, a methodology for determining regions of the State.  
11 (Source: P.A. 94-602, eff. 8-16-05.)

12 (20 ILCS 2310/2310-635)

13 Sec. 2310-635. Healthy Smiles Fund; grants. Subject to  
14 appropriation, the Department of Public Health has the power to  
15 make grants or use moneys in the Healthy Smiles Fund, a special  
16 fund created in the State treasury, to secure federal matching  
17 grants to provide for quality assurance program evaluation  
18 activities for school-based, school-linked oral health  
19 programs operating under the auspices of either the Department  
20 of Public Health or the Department of Healthcare and Family  
21 Services. The Department shall accept and deposit with the  
22 State Treasurer all gifts, grants, transfers, appropriations,  
23 and other amounts from any legal source, public or private,  
24 that are designated for deposit into the Fund. Notwithstanding  
25 any other law to the contrary, the Healthy Smiles Fund is not

1 subject to sweeps, administrative charge-backs, or any other  
2 fiscal or budgetary maneuver that would in any way transfer any  
3 amounts from the Healthy Smiles Fund into any other fund of the  
4 State.

5 (Source: P.A. 95-940, eff. 8-29-08.)

6 (20 ILCS 2310/2310-642)

7 Sec. 2310-642. Diabetes; transfer of functions from  
8 Department of Human Services.

9 (a) Diabetes Research Checkoff Fund; grants. The Diabetes  
10 Research Checkoff Fund is a special fund in the State treasury.  
11 On and after July 1, 2010, from appropriations to the  
12 Department from that Fund, the Department shall make grants to  
13 recognized public or private entities in Illinois for the  
14 purpose of funding research concerning the disease of diabetes.  
15 At least 50% of the grants made from the Fund by the Department  
16 shall be made to entities that conduct research for juvenile  
17 diabetes. For purposes of this subsection, the term "research"  
18 includes, without limitation, expenditures to develop and  
19 advance the understanding, techniques, and modalities  
20 effective in the detection, prevention, screening, management,  
21 and treatment of diabetes and may include clinical trials in  
22 Illinois. Moneys received for the purposes of this subsection,  
23 including, without limitation, income tax checkoff receipts  
24 and gifts, grants, and awards from any public or private person  
25 or entity, shall be deposited into the Fund. Any interest

1 earned on moneys in the Fund must be deposited into the Fund.  
2 Notwithstanding any other law to the contrary, the Diabetes  
3 Research Checkoff Fund is not subject to sweeps, administrative  
4 charge-backs, or any other fiscal or budgetary maneuver that  
5 would in any way transfer any amounts from the Diabetes  
6 Research Checkoff Fund into any other fund of the State.

7 (b) Diabetes information. On and after July 1, 2010, the  
8 Department shall include within its public health promotion  
9 programs and materials information to be directed toward  
10 population groups in Illinois that are considered at high risk  
11 of developing diabetes, asthma, and pulmonary disorders, such  
12 as Hispanics, people of African descent, the elderly, obese  
13 individuals, persons with high blood sugar content, and persons  
14 with a family history of diabetes. The information shall inform  
15 members of such high risk groups about the causes and  
16 prevention of diabetes, asthma, and pulmonary disorders, the  
17 types of treatment for these diseases, and how treatment may be  
18 obtained. By February 15, 2011, and each February 15  
19 thereafter, the Department shall file a report with the General  
20 Assembly concerning its activities and accomplishments under  
21 this subsection during the previous calendar year.

22 (c) Transfer of functions from Department of Human  
23 Services.

24 (1) Transfer. On the effective date of this amendatory  
25 Act of the 96th General Assembly, all functions performed  
26 by the Department of Human Services in connection with

1 Sections 10-9 and 10-10 of the Department of Human Services  
2 Act (now repealed, and replaced by subsections (a) and (b),  
3 respectively, of this Section), together with all of the  
4 powers, duties, rights, and responsibilities of the  
5 Department of Human Services relating to those functions,  
6 are transferred from the Department of Human Services to  
7 the Department of Public Health.

8 The Department of Human Services and the Department of  
9 Public Health shall cooperate to ensure that the transfer  
10 of functions is completed as soon as practical.

11 (2) Effect of transfer. Neither the functions  
12 transferred under this subsection, nor any powers, duties,  
13 rights, and responsibilities relating to those functions,  
14 are affected by this amendatory Act of the 96th General  
15 Assembly, except that all such functions, powers, duties,  
16 rights, and responsibilities shall be performed or  
17 exercised by the Department of Public Health on and after  
18 the effective date of this amendatory Act of the 96th  
19 General Assembly.

20 (3) The staff of the Department of Human Services  
21 engaged in the performance of the functions transferred  
22 under this subsection may be transferred to the Department  
23 of Public Health. The status and rights of those employees  
24 under the Personnel Code shall not be affected by the  
25 transfers. The rights of the employees, the State of  
26 Illinois, and its agencies under the Personnel Code and

1 applicable collective bargaining agreements, or under any  
2 pension, retirement, or annuity plan, shall not be affected  
3 by this amendatory Act of the 96th General Assembly.

4 (4) Books and records transferred. All books, records,  
5 papers, documents, contracts, and pending business  
6 pertaining to the functions transferred under this  
7 subsection, including but not limited to material in  
8 electronic or magnetic format, shall be transferred to the  
9 Department of Public Health. The transfer of that  
10 information shall not, however, violate any applicable  
11 confidentiality constraints.

12 (5) Unexpended moneys transferred. All unexpended  
13 appropriation balances and other funds otherwise available  
14 to the Department of Human Services for use in connection  
15 with the functions transferred under this subsection shall  
16 be transferred and made available to the Department of  
17 Public Health for use in connection with the functions  
18 transferred under this subsection. Unexpended balances so  
19 transferred shall be expended only for the purpose for  
20 which the appropriations were originally made.

21 (6) Exercise of transferred powers; savings  
22 provisions. The powers, duties, rights, and  
23 responsibilities relating to the functions transferred  
24 under this subsection are vested in and shall be exercised  
25 by the Department of Public Health. Each act done in  
26 exercise of those powers, duties, rights, and

1 responsibilities shall have the same legal effect as if  
2 done by the Department of Human Services or its divisions,  
3 officers, or employees.

4 (7) Persons subject to penalties. Every officer,  
5 employee, or agent of the Department of Public Health  
6 shall, for any offense, be subject to the same penalty or  
7 penalties, civil or criminal, as are prescribed by existing  
8 laws for the same offense by any officer, employee, or  
9 agent whose powers or duties were transferred under this  
10 subsection.

11 (8) Reports or notices. Whenever reports or notices are  
12 now required to be made or given or papers or documents  
13 furnished or served by any person to or upon the Department  
14 of Human Services in connection with any of the functions  
15 transferred under this subsection, the same shall be made,  
16 given, furnished, or served in the same manner to or upon  
17 the Department of Public Health.

18 (9) This subsection shall not affect any act done,  
19 ratified, or canceled, or any right occurring or  
20 established, or any action or proceeding had or commenced  
21 in an administrative, civil, or criminal case, regarding  
22 the functions of the Department of Human Services before  
23 this amendatory Act of the 96th General Assembly takes  
24 effect; such actions may be prosecuted, defended, or  
25 continued by the Department of Public Health.

26 (10) Rules. Any rules of the Department of Human

1 Services that relate to the functions transferred under  
2 this subsection that are in full force on the effective  
3 date of this amendatory Act of the 96th General Assembly,  
4 and that have been duly adopted by the Department of Human  
5 Services, shall become the rules of the Department of  
6 Public Health. This subsection shall not affect the  
7 legality of any such rules in the Illinois Administrative  
8 Code. Any proposed rules filed with the Secretary of State  
9 by the Department of Human Services that are pending in the  
10 rulemaking process on the effective date of this amendatory  
11 Act of the 96th General Assembly, and that pertain to the  
12 functions transferred, shall be deemed to have been filed  
13 by the Department of Public Health. As soon as practicable  
14 after the effective date of this amendatory Act of the 96th  
15 General Assembly, the Department of Public Health shall  
16 revise and clarify the rules transferred to it under this  
17 subsection to reflect the reorganization of powers,  
18 duties, rights, and responsibilities affected by this  
19 subsection, using the procedures for recodification of  
20 rules available under the Illinois Administrative  
21 Procedure Act, except that existing title, part, and  
22 section numbering for the affected rules may be retained.

23 The Department of Public Health, consistent with the  
24 Department of Human Services' authority to do so, may  
25 propose and adopt, under the Illinois Administrative  
26 Procedure Act, such other rules of the Department of Human



1 Services that will now be administered by the Department of  
2 Public Health.

3 To the extent that, prior to the effective date of the  
4 transfer of functions under this subsection, the Secretary  
5 of Human Services had been empowered to prescribe  
6 regulations or had other authority with respect to the  
7 transferred functions, such duties shall be exercised from  
8 and after the effective date of the transfer by the  
9 Director of Public Health.

10 (11) Successor Agency Act. For the purposes of the  
11 Successor Agency Act, the Department of Public Health is  
12 declared to be the successor agency of the Department of  
13 Human Services, but only with respect to the functions that  
14 are transferred to the Department of Public Health under  
15 this subsection.

16 (12) Statutory references. Whenever a provision of law  
17 refers to the Department of Human Services in connection  
18 with its performance of a function that is transferred to  
19 the Department of Public Health under this subsection, that  
20 provision shall be deemed to refer to the Department of  
21 Public Health on and after the effective date of this  
22 amendatory Act of the 96th General Assembly.

23 (Source: P.A. 96-1406, eff. 7-29-10.)

24 Section 20. The Department of Veterans Affairs Act is  
25 amended by changing Sections 2 and 2g as follows:

1 (20 ILCS 2805/2) (from Ch. 126 1/2, par. 67)

2 Sec. 2. Powers and duties. The Department shall have the  
3 following powers and duties:

4 To perform such acts at the request of any veteran, or his  
5 or her spouse, surviving spouse or dependents as shall be  
6 reasonably necessary or reasonably incident to obtaining or  
7 endeavoring to obtain for the requester any advantage, benefit  
8 or emolument accruing or due to such person under any law of  
9 the United States, the State of Illinois or any other state or  
10 governmental agency by reason of the service of such veteran,  
11 and in pursuance thereof shall:

12 (1) Contact veterans, their survivors and dependents  
13 and advise them of the benefits of state and federal laws  
14 and assist them in obtaining such benefits;

15 (2) Establish field offices and direct the activities  
16 of the personnel assigned to such offices;

17 (3) Create a volunteer field force of accredited  
18 representatives, representing educational institutions,  
19 labor organizations, veterans organizations, employers,  
20 churches, and farm organizations;

21 (4) Conduct informational and training services;

22 (5) Conduct educational programs through newspapers,  
23 periodicals and radio for the specific purpose of  
24 disseminating information affecting veterans and their  
25 dependents;

1           (6) Coordinate the services and activities of all state  
2 departments having services and resources affecting  
3 veterans and their dependents;

4           (7) Encourage and assist in the coordination of  
5 agencies within counties giving service to veterans and  
6 their dependents;

7           (8) Cooperate with veterans organizations and other  
8 governmental agencies;

9           (9) Make, alter, amend and promulgate reasonable rules  
10 and procedures for the administration of this Act;

11           (10) Make and publish annual reports to the Governor  
12 regarding the administration and general operation of the  
13 Department;

14           (11) Encourage the State to implement more programs to  
15 address the wide range of issues faced by Persian Gulf War  
16 Veterans, especially those who took part in combat, by  
17 creating an official commission to further study Persian  
18 Gulf War Diseases. The commission shall consist of 9  
19 members appointed as follows: the Speaker and Minority  
20 Leader of the House of Representatives and the President  
21 and Minority Leader of the Senate shall each appoint one  
22 member from the General Assembly, the Governor shall  
23 appoint 4 members to represent veterans' organizations,  
24 and the Department shall appoint one member. The commission  
25 members shall serve without compensation; and

26           (12) Conduct an annual review of the benefits received

1 by Illinois veterans that compares benefits received by  
2 Illinois veterans with the benefits received by veterans in  
3 all other states and U.S. territories. The required annual  
4 review shall include, but not be limited to, (1) the  
5 average benefit paid to individual veterans from Illinois,  
6 in direct comparison to the average benefit paid to  
7 individual veterans of each of the other states and U.S.  
8 territories; (2) the number of veterans receiving benefits  
9 in Illinois for the first time during the year compared to  
10 the number of claims filed by Illinois veterans during the  
11 year; (3) the aggregate number of Illinois veterans  
12 receiving benefits compared to the number of veterans from  
13 each of the other states and U.S. territories receiving  
14 benefits; and (4) a categorical analysis of the types of  
15 injuries and disabilities for which benefits are being paid  
16 in Illinois and each of the other states and U.S.  
17 territories. The benefits review shall be reported to the  
18 Governor, the General Assembly, and the Illinois  
19 Congressional delegation upon the completion of the report  
20 each year.

21 The Department may accept and hold on behalf of the State,  
22 if for the public interest, a grant, gift, devise or bequest of  
23 money or property to the Department made for the general  
24 benefit of Illinois veterans, including the conduct of  
25 informational and training services by the Department and other  
26 authorized purposes of the Department. The Department shall

1 cause each grant, gift, devise or bequest to be kept as a  
2 distinct fund and shall invest such funds in the manner  
3 provided by the Public Funds Investment Act, as now or  
4 hereafter amended, and shall make such reports as may be  
5 required by the Comptroller concerning what funds are so held  
6 and the manner in which such funds are invested. The Department  
7 may make grants from these funds for the general benefit of  
8 Illinois veterans. Grants from these funds, except for the  
9 funds established under Sections 2.01a and 2.03, shall be  
10 subject to appropriation.

11 The Department has the power to make grants, from funds  
12 appropriated from the Korean War Veterans National Museum and  
13 Library Fund, to private organizations for the benefit of the  
14 Korean War Veterans National Museum and Library.  
15 Notwithstanding any other law to the contrary, the Korean War  
16 Veterans National Museum and Library Fund is not subject to  
17 sweeps, administrative charge-backs, or any other fiscal or  
18 budgetary maneuver that would in any way transfer any amounts  
19 from the Korean War Veterans National Museum and Library Fund  
20 into any other fund of the State.

21 The Department has the power to make grants, from funds  
22 appropriated from the Illinois Military Family Relief Fund, for  
23 benefits authorized under the Survivors Compensation Act.

24 (Source: P.A. 93-839, eff. 7-30-04; 94-167, eff. 1-1-06.)

1           Sec. 2g. The Illinois Veterans' Homes Fund. The Illinois  
2 Veterans' Homes Fund is hereby created as a special fund in the  
3 State treasury. From appropriations to the Department from the  
4 Fund the Department shall purchase needed equipment and  
5 supplies to enhance the lives of the residents at and to  
6 enhance the operations of veterans' homes in Illinois.  
7 Notwithstanding any other law to the contrary, the Illinois  
8 Veterans' Homes Fund is not subject to sweeps, administrative  
9 charge-backs, or any other fiscal or budgetary maneuver that  
10 would in any way transfer any amounts from the Illinois  
11 Veterans' Homes Fund into any other fund of the State.

12 (Source: P.A. 93-776, eff. 7-21-04.)

13           Section 25. The State Finance Act is amended by changing  
14 Sections 6z-76, 6z-83, and 8.11, by renumbering and changing  
15 Section 6z-82 from Public Act 96-1424, and by adding Section 8q  
16 as follows:

17           (30 ILCS 105/6z-76)

18           Sec. 6z-76. Illinois Route 66 Fund. The Illinois Route 66  
19 Fund is created as a special fund in the State treasury.  
20 Subject to appropriation, the Fund shall be used by the  
21 Department of Commerce and Economic Opportunity to make grants  
22 to not-for-profit corporations that have a statewide impact on  
23 Illinois Route 66 and that maintain, improve, or repair  
24 Historic Route 66 in Illinois. Grant moneys may be used for

1 tourism promotion, matching grant funds, project development  
2 and implementation, grants to units of local government, and  
3 rehabilitation of historic structures. Notwithstanding any  
4 other law to the contrary, the Illinois Route 66 Fund is not  
5 subject to sweeps, administrative charge-backs, or any other  
6 fiscal or budgetary maneuver that would in any way transfer any  
7 amounts from the Illinois Route 66 Fund into any other fund of  
8 the State.

9 (Source: P.A. 96-1424, eff. 8-3-10.)

10 (30 ILCS 105/6z-83)

11 Sec. 6z-83. The Disabled Veterans Property Tax Relief Fund;  
12 creation. The Disabled Veterans Property Tax Relief Fund is  
13 created as a special fund in the State treasury. Subject to  
14 appropriation, moneys in the Fund shall be used by the  
15 Department of Veterans' Affairs for the purpose of providing  
16 property tax relief to disabled veterans. The Department of  
17 Veterans' Affairs may adopt rules to implement this Section.  
18 Notwithstanding any other law to the contrary, the Disabled  
19 Veterans Property Tax Relief Fund is not subject to sweeps,  
20 administrative charge-backs, or any other fiscal or budgetary  
21 maneuver that would in any way transfer any amounts from the  
22 Disabled Veterans Property Tax Relief Fund into any other fund  
23 of the State.

24 (Source: P.A. 96-1424, eff. 8-3-10.)

1 (30 ILCS 105/6z-84)

2 Sec. 6z-84 ~~6z-82~~. The Habitat for Humanity Fund; creation.  
3 The Habitat for Humanity Fund is created as a special fund in  
4 the State treasury. Moneys in the Fund shall be appropriated to  
5 the Department of Human Services for the purpose of making  
6 grants to Habitat for Humanity of Illinois, Inc., for the  
7 purpose of supporting Habitat for Humanity projects in  
8 Illinois. Notwithstanding any other law to the contrary, the  
9 Habitat for Humanity Fund is not subject to sweeps,  
10 administrative charge-backs, or any other fiscal or budgetary  
11 maneuver that would in any way transfer any amounts from the  
12 Habitat for Humanity Fund into any other fund of the State.

13 (Source: P.A. 96-1424, eff. 8-3-10; revised 9-28-10.)

14 (30 ILCS 105/8.11) (from Ch. 127, par. 144.11)

15 Sec. 8.11. Except as otherwise provided in this Section,  
16 appropriations from the State Parks Fund shall be made only to  
17 the Department of Natural Resources and shall, except for the  
18 additional moneys deposited under Section 805-550 of the  
19 Department of Natural Resources (Conservation) Law of the Civil  
20 Administrative Code of Illinois, be used only for the  
21 maintenance, development, operation, control and acquisition  
22 of State parks.

23 Revenues derived from the Illinois and Michigan Canal from  
24 the sale of Canal lands, lease of Canal lands, Canal  
25 concessions, and other Canal activities, which have been placed



1 in the State Parks Fund may be appropriated to the Department  
2 of Natural Resources for that Department to use, either  
3 independently or in cooperation with any Department or Agency  
4 of the Federal or State Government or any political subdivision  
5 thereof for the development and management of the Canal and its  
6 adjacent lands as outlined in the master plan for such  
7 development and management.

8 Notwithstanding any other law to the contrary, the State  
9 Parks Fund is not subject to sweeps, administrative  
10 charge-backs, or any other fiscal or budgetary maneuver that  
11 would in any way transfer any amounts from the State Parks Fund  
12 into any other fund of the State.

13 (Source: P.A. 96-1160, eff. 1-1-11.)

14 (30 ILCS 105/8q new)

15 Sec. 8q. Transfers from checkoff funds. Notwithstanding  
16 any other law to the contrary, if, under Article 5 of the  
17 Illinois Income Tax Act, the Department of Revenue prints on  
18 its standard individual income tax form a provision indicating  
19 that a taxpayer may contribute to a fund, then that fund is not  
20 subject to sweeps, administrative charge-backs, or any other  
21 fiscal or budgetary maneuver that would in any way transfer any  
22 amounts from that fund into any other fund of the State.

23 Section 30. The Energy Assistance Act is amended by  
24 changing Section 13 as follows:

1 (305 ILCS 20/13)

2 (Section scheduled to be repealed on December 31, 2013)

3 Sec. 13. Supplemental Low-Income Energy Assistance Fund.

4 (a) The Supplemental Low-Income Energy Assistance Fund is  
5 hereby created as a special fund in the State Treasury. The  
6 Supplemental Low-Income Energy Assistance Fund is authorized  
7 to receive moneys from voluntary donations from individuals,  
8 foundations, corporations, and other sources, moneys received  
9 pursuant to Section 17, and, by statutory deposit, the moneys  
10 collected pursuant to this Section. The Fund is also authorized  
11 to receive voluntary donations from individuals, foundations,  
12 corporations, and other sources, as well as contributions made  
13 in accordance with Section 507MM of the Illinois Income Tax  
14 Act. Subject to appropriation, the Department shall use moneys  
15 from the Supplemental Low-Income Energy Assistance Fund for  
16 payments to electric or gas public utilities, municipal  
17 electric or gas utilities, and electric cooperatives on behalf  
18 of their customers who are participants in the program  
19 authorized by Sections 4 and 18 of this Act, for the provision  
20 of weatherization services and for administration of the  
21 Supplemental Low-Income Energy Assistance Fund. The yearly  
22 expenditures for weatherization may not exceed 10% of the  
23 amount collected during the year pursuant to this Section. The  
24 yearly administrative expenses of the Supplemental Low-Income  
25 Energy Assistance Fund may not exceed 10% of the amount

1 collected during that year pursuant to this Section.  
2 Notwithstanding any other law to the contrary, the Supplemental  
3 Low-Income Energy Assistance Fund is not subject to sweeps,  
4 administrative charge-backs, or any other fiscal or budgetary  
5 maneuver that would in any way transfer any amounts from the  
6 Supplemental Low-Income Energy Assistance Fund into any other  
7 fund of the State.

8 (b) Notwithstanding the provisions of Section 16-111 of the  
9 Public Utilities Act but subject to subsection (k) of this  
10 Section, each public utility, electric cooperative, as defined  
11 in Section 3.4 of the Electric Supplier Act, and municipal  
12 utility, as referenced in Section 3-105 of the Public Utilities  
13 Act, that is engaged in the delivery of electricity or the  
14 distribution of natural gas within the State of Illinois shall,  
15 effective January 1, 1998, assess each of its customer accounts  
16 a monthly Energy Assistance Charge for the Supplemental  
17 Low-Income Energy Assistance Fund. The delivering public  
18 utility, municipal electric or gas utility, or electric or gas  
19 cooperative for a self-assessing purchaser remains subject to  
20 the collection of the fee imposed by this Section. The monthly  
21 charge shall be as follows:

22 (1) \$0.48 per month on each account for residential  
23 electric service;

24 (2) \$0.48 per month on each account for residential gas  
25 service;

26 (3) \$4.80 per month on each account for non-residential

1 electric service which had less than 10 megawatts of peak  
2 demand during the previous calendar year;

3 (4) \$4.80 per month on each account for non-residential  
4 gas service which had distributed to it less than 4,000,000  
5 therms of gas during the previous calendar year;

6 (5) \$360 per month on each account for non-residential  
7 electric service which had 10 megawatts or greater of peak  
8 demand during the previous calendar year; and

9 (6) \$360 per month on each account for non-residential  
10 gas service which had 4,000,000 or more therms of gas  
11 distributed to it during the previous calendar year.

12 The incremental change to such charges imposed by this  
13 amendatory Act of the 96th General Assembly shall not (i) be  
14 used for any purpose other than to directly assist customers  
15 and (ii) be applicable to utilities serving less than 100,000  
16 customers in Illinois on January 1, 2009.

17 In addition, electric and gas utilities have committed, and  
18 shall contribute, a one-time payment of \$22 million to the  
19 Fund, within 10 days after the effective date of the tariffs  
20 established pursuant to Sections 16-111.8 and 19-145 of the  
21 Public Utilities Act to be used for the Department's cost of  
22 implementing the programs described in Section 18 of this  
23 amendatory Act of the 96th General Assembly, the Arrearage  
24 Reduction Program described in Section 18, and the programs  
25 described in Section 8-105 of the Public Utilities Act. If a  
26 utility elects not to file a rider within 90 days after the

1 effective date of this amendatory Act of the 96th General  
2 Assembly, then the contribution from such utility shall be made  
3 no later than February 1, 2010.

4 (c) For purposes of this Section:

5 (1) "residential electric service" means electric  
6 utility service for household purposes delivered to a  
7 dwelling of 2 or fewer units which is billed under a  
8 residential rate, or electric utility service for  
9 household purposes delivered to a dwelling unit or units  
10 which is billed under a residential rate and is registered  
11 by a separate meter for each dwelling unit;

12 (2) "residential gas service" means gas utility  
13 service for household purposes distributed to a dwelling of  
14 2 or fewer units which is billed under a residential rate,  
15 or gas utility service for household purposes distributed  
16 to a dwelling unit or units which is billed under a  
17 residential rate and is registered by a separate meter for  
18 each dwelling unit;

19 (3) "non-residential electric service" means electric  
20 utility service which is not residential electric service;  
21 and

22 (4) "non-residential gas service" means gas utility  
23 service which is not residential gas service.

24 (d) Within 30 days after the effective date of this  
25 amendatory Act of the 96th General Assembly, each public  
26 utility engaged in the delivery of electricity or the

1 distribution of natural gas shall file with the Illinois  
2 Commerce Commission tariffs incorporating the Energy  
3 Assistance Charge in other charges stated in such tariffs,  
4 which shall become effective no later than the beginning of the  
5 first billing cycle following such filing.

6 (e) The Energy Assistance Charge assessed by electric and  
7 gas public utilities shall be considered a charge for public  
8 utility service.

9 (f) By the 20th day of the month following the month in  
10 which the charges imposed by the Section were collected, each  
11 public utility, municipal utility, and electric cooperative  
12 shall remit to the Department of Revenue all moneys received as  
13 payment of the Energy Assistance Charge on a return prescribed  
14 and furnished by the Department of Revenue showing such  
15 information as the Department of Revenue may reasonably  
16 require; provided, however, that a utility offering an  
17 Arrearage Reduction Program pursuant to Section 18 of this Act  
18 shall be entitled to net those amounts necessary to fund and  
19 recover the costs of such Program as authorized by that Section  
20 that is no more than the incremental change in such Energy  
21 Assistance Charge authorized by this amendatory Act of the 96th  
22 General Assembly. If a customer makes a partial payment, a  
23 public utility, municipal utility, or electric cooperative may  
24 elect either: (i) to apply such partial payments first to  
25 amounts owed to the utility or cooperative for its services and  
26 then to payment for the Energy Assistance Charge or (ii) to

1 apply such partial payments on a pro-rata basis between amounts  
2 owed to the utility or cooperative for its services and to  
3 payment for the Energy Assistance Charge.

4 (g) The Department of Revenue shall deposit into the  
5 Supplemental Low-Income Energy Assistance Fund all moneys  
6 remitted to it in accordance with subsection (f) of this  
7 Section; provided, however, that the amounts remitted by each  
8 utility shall be used to provide assistance to that utility's  
9 customers. The utilities shall coordinate with the Department  
10 to establish an equitable and practical methodology for  
11 implementing this subsection (g) beginning with the 2010  
12 program year.

13 (h) On or before December 31, 2002, the Department shall  
14 prepare a report for the General Assembly on the expenditure of  
15 funds appropriated from the Low-Income Energy Assistance Block  
16 Grant Fund for the program authorized under Section 4 of this  
17 Act.

18 (i) The Department of Revenue may establish such rules as  
19 it deems necessary to implement this Section.

20 (j) The Department of Commerce and Economic Opportunity may  
21 establish such rules as it deems necessary to implement this  
22 Section.

23 (k) The charges imposed by this Section shall only apply to  
24 customers of municipal electric or gas utilities and electric  
25 or gas cooperatives if the municipal electric or gas utility or  
26 electric or gas cooperative makes an affirmative decision to

1 impose the charge. If a municipal electric or gas utility or an  
2 electric cooperative makes an affirmative decision to impose  
3 the charge provided by this Section, the municipal electric or  
4 gas utility or electric cooperative shall inform the Department  
5 of Revenue in writing of such decision when it begins to impose  
6 the charge. If a municipal electric or gas utility or electric  
7 or gas cooperative does not assess this charge, the Department  
8 may not use funds from the Supplemental Low-Income Energy  
9 Assistance Fund to provide benefits to its customers under the  
10 program authorized by Section 4 of this Act.

11 In its use of federal funds under this Act, the Department  
12 may not cause a disproportionate share of those federal funds  
13 to benefit customers of systems which do not assess the charge  
14 provided by this Section.

15 This Section is repealed effective December 31, 2013 unless  
16 renewed by action of the General Assembly. The General Assembly  
17 shall consider the results of the evaluations described in  
18 Section 8 in its deliberations.

19 (Source: P.A. 95-48, eff. 8-10-07; 95-331, eff. 8-21-07; 96-33,  
20 eff. 7-10-09; 96-154, eff. 1-1-10; 96-1000, eff. 7-2-10.)

21 Section 35. The Epilepsy Disease Assistance Act is amended  
22 by changing Section 25 as follows:

23 (410 ILCS 413/25)

24 Sec. 25. Epilepsy Treatment and Education Grants-in-Aid



1 Fund. The Epilepsy Treatment and Education Grants-in-Aid Fund  
2 is created as a special fund in the State treasury. Using  
3 appropriations from the Fund, the Department of Public Health  
4 shall provide grants-in-aid (i) to fund necessary educational  
5 activities and (ii) for the development and maintenance of  
6 services for victims of epilepsy and their families, as managed  
7 through an epilepsy program properly staffed and affiliated  
8 with a national epilepsy program. The Department shall adopt  
9 rules governing the distribution and specific purpose of these  
10 grants. Notwithstanding any other law to the contrary, the  
11 Epilepsy Treatment and Education Grants-in-Aid Fund is not  
12 subject to sweeps, administrative charge-backs, or any other  
13 fiscal or budgetary maneuver that would in any way transfer any  
14 amounts from the Epilepsy Treatment and Education  
15 Grants-in-Aid Fund into any other fund of the State.

16 (Source: P.A. 94-73, eff. 6-23-05.)

17 Section 40. The Illinois Public Health and Safety Animal  
18 Population Control Act is amended by changing Section 45 as  
19 follows:

20 (510 ILCS 92/45)

21 Sec. 45. Pet Population Control Fund. The Pet Population  
22 Control Fund is established as a special fund in the State  
23 treasury. The moneys generated from the public safety fines  
24 collected as provided in the Animal Control Act, from Pet

1 Friendly license plates under Section 3-653 of the Illinois  
2 Vehicle Code, from Section 507EE of the Illinois Income Tax  
3 Act, and from voluntary contributions must be kept in the Fund  
4 and shall be used only to sterilize and vaccinate dogs and cats  
5 in this State pursuant to the program, to promote the  
6 sterilization program, to educate the public about the  
7 importance of spaying and neutering, and for reasonable  
8 administrative and personnel costs related to the Fund.  
9 Notwithstanding any other law to the contrary, the Pet  
10 Population Control Fund is not subject to sweeps,  
11 administrative charge-backs, or any other fiscal or budgetary  
12 maneuver that would in any way transfer any amounts from the  
13 Pet Population Control Fund into any other fund of the State.

14 (Source: P.A. 94-639, eff. 8-22-05.)

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

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1 30 ILCS 105/6z-84

2 30 ILCS 105/8.11 from Ch. 127, par. 144.11

3 30 ILCS 105/8q new

4 305 ILCS 20/13

5 410 ILCS 413/25

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