



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

SB0366

Introduced 2/7/2007, by Sen. Kwame Raoul

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2310/2310-361 new

30 ILCS 105/5.675 new

35 ILCS 5/50700 new

35 ILCS 5/509

from Ch. 120, par. 5-509

35 ILCS 5/510

from Ch. 120, par. 5-510

Amends the Illinois Income Tax Act. Creates a tax checkoff for the Lung Cancer Research Fund. Amends the State Finance Act to create the Fund. Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that, from appropriations to the Department from the Fund, the Department shall make grants to an Illinois-based national not-for-profit organization that is dedicated exclusively to funding lung-cancer research. Effective immediately.

LRB095 04424 BDD 27464 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 Lung Cancer Research Fund. The Lung  
9 Cancer Research Fund is created as a special fund in the State  
10 treasury. From appropriations to the Department from the Fund,  
11 the Department shall make grants to an Illinois-based national  
12 not-for-profit organization that is dedicated exclusively to  
13 funding lung-cancer research.

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

16 (30 ILCS 105/5.675 new)

17 Sec. 5.675. The Lung Cancer Research Fund.

18 Section 15. The Illinois Income Tax Act is amended by  
19 adding Section 50700 and by changing Sections 509 and 510 as  
20 follows:

1 (35 ILCS 5/50700 new)

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

14 (35 ILCS 5/509) (from Ch. 120, par. 5-509)

15 Sec. 509. Tax checkoff explanations. All individual income  
16 tax return forms shall contain appropriate explanations and  
17 spaces to enable the taxpayers to designate contributions to  
18 the following funds: the Child Abuse Prevention Fund, the  
19 Illinois Wildlife Preservation Fund (as required by the  
20 Illinois Non-Game Wildlife Protection Act), the Alzheimer's  
21 Disease Research Fund (as required by the Alzheimer's Disease  
22 Research Act), the Assistance to the Homeless Fund (as required  
23 by this Act), the Penny Seaverns Breast and Cervical Cancer  
24 Research Fund, the National World War II Memorial Fund, the

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

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

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

24 (Source: P.A. 93-36, eff. 6-24-03; 93-131, eff. 7-10-03;  
25 93-292, eff. 7-22-03; 93-324, eff. 7-23-03; 93-776, eff.  
26 7-21-04; 94-73, eff. 6-23-05; 94-107, eff. 7-1-05; 94-141, eff.

1 1-1-06; 94-142, eff. 1-1-06; 94-442, eff. 8-4-05; 94-602, eff.  
2 8-16-05; 94-649, eff. 8-22-05; 94-876, eff. 6-19-06; revised  
3 8-3-06.)

4 (35 ILCS 5/510) (from Ch. 120, par. 5-510)

5 Sec. 510. Determination of amounts contributed. The  
6 Department shall determine the total amount contributed to each  
7 of the following: the Child Abuse Prevention Fund, the Illinois  
8 Wildlife Preservation Fund, the Assistance to the Homeless  
9 Fund, the Alzheimer's Disease Research Fund, the Penny Severns  
10 Breast and Cervical Cancer Research Fund, the National World  
11 War II Memorial Fund, the Prostate Cancer Research Fund, the  
12 Illinois Military Family Relief Fund, the Lou Gehrig's Disease  
13 (ALS) Research Fund, the Multiple Sclerosis Assistance Fund,  
14 the Sarcoidosis Research Fund, the Leukemia Treatment and  
15 Education Fund, the World War II Illinois Veterans Memorial  
16 Fund, the Korean War Veterans National Museum and Library Fund,  
17 the Illinois Veterans' Homes Fund, the Epilepsy Treatment and  
18 Education Grants-in-Aid Fund, the Diabetes Research Checkoff  
19 Fund, the Vince Demuzio Memorial Colon Cancer Fund, the Autism  
20 Research Fund, the Blindness Prevention Fund, the Heartsaver  
21 AED Fund, the Asthma and Lung Research Fund, the Lung Cancer  
22 Research Fund, and the Illinois Brain Tumor Research Fund; and  
23 shall notify the State Comptroller and the State Treasurer of  
24 the amounts to be transferred from the General Revenue Fund to  
25 each fund, and upon receipt of such notification the State

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

8 Section 99. Effective date. This Act takes effect upon  
9 becoming law.