Rep. Kam Buckner

Filed: 3/19/2026

AMENDMENT TO HOUSE BILL 5465

AMENDMENT NO. _____. Amend House Bill 5465 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Speed-a-Cure Fund Act.

Section 5. Findings; legislative intent. The General Assembly finds that:

(1) Neurodegenerative diseases, including Alzheimer's disease, Parkinson's disease, amyotrophic lateral sclerosis, Huntington's disease, multiple sclerosis, and related conditions, impose substantial and growing human, social, and economic burdens on individuals, families, and communities across Illinois.

(2) Illinois is home to world-class research universities, academic medical centers, health systems, and an emerging neuro-focused biotechnology ecosystem that

together represent a significant asset in the fight against neurodegenerative disease.

(3) Gaps in federal and private research funding leave promising neurodegenerative disease research programs without the capital needed to sustain momentum, validate findings, and advance to subsequent funding stages. Early-stage work that is not yet competitive for federal grants, research directions that fall outside existing award scopes, and biotech programs that need bridge capital between funding rounds represent lost scientific opportunity for Illinois and for patients.

(4) Providing flexible, milestone-based capital to Illinois-based researchers and early-stage neuro-focused companies will strengthen Illinois as a hub for neurodegenerative disease research and clinical-trial activity, retain Illinois-based scientific talent and discovery in Illinois, and build a durable, self-reinforcing research funding infrastructure.

(5) The Illinois Speed-a-Cure Fund is established to accomplish these purposes. The Fund does not seek to replace federal or private research funding; it is designed to fill the gaps those systems leave and to ensure that scientific progress generated in Illinois stays in Illinois.

Section 10. Definitions. As used in this Act:

"CDFI" means a community development financial institution certified by the U.S. Department of the Treasury Community Development Financial Institutions Fund and approved by the Department under a standardized program agreement to participate in the Speed-a-Cure Fund program.

"Department" means the Department of Commerce and Economic Opportunity.

"Director" means the Director of Commerce and Economic Opportunity unless otherwise specified.

"Eligible Early-Stage Neuro Company" means a for-profit company that:

(1) is incorporated in or qualified to do business in Illinois and maintains its principal headquarters and material research and development operations in Illinois;

(2) has an active neurodegenerative disease research or development program; and

(3) meets size, stage, and certification criteria established by the Department by rule.

Certification criteria shall be calibrated to companies that have not yet achieved sustained commercial revenue from a neurodegenerative disease product or diagnostic.

"Eligible Neurodegenerative Disease" means Parkinson's disease, atypical parkinsonism, Alzheimer's disease, amyotrophic lateral sclerosis, Huntington's disease, multiple sclerosis, and any related neurodegenerative condition included by the Department by rule for purposes of this Act.

The Department may designate additional conditions as eligible on an interim basis through published program standards pending adoption of formal rules.

"Material research and development operations" means, with respect to a Lane B recipient, the research and development activities that are the principal subject of the funded program, as further specified in the loan agreement.

"Net licensing proceeds" means gross licensing revenue received by an institution from a licensee, after deducting verified, documented costs incurred by the institution's technology transfer office directly attributable to the licensed discovery, including patent prosecution costs, legal fees, and direct licensing negotiation costs.

"Panel" means the Speed-a-Cure Scientific Advisory Panel established under Section 15 of this Act.

"Speed-a-Cure Fund" or "Fund" means the Illinois Speed-a-Cure Fund established under Section 20 of this Act.

"Qualified contribution" means a contribution made to the Fund in cash or cash equivalents that is restricted to the Fund and used solely for Fund program purposes, accompanied by the contributor's certification on a form prescribed by the Department. A contribution is irrevocable upon receipt by the Fund and may not be redirected, withdrawn, or returned to the contributor.

Section 15. Speed-a-Cure Scientific Advisory Panel.

(a) The Department of Public Health shall establish an independent Speed-a-Cure Scientific Advisory Panel and appoint its members to perform scientific-merit review of all Fund loan applications. Panel recommendations shall be transmitted to the Department of Commerce and Economic Opportunity for purposes of loan administration under this Act.

(b) The Panel shall include the following members, appointed by the Director of Public Health:

(1) at least 5 practicing researchers or clinicians with active or recent experience in neurodegenerative disease research, at least 2 of whom shall have translational or clinical research experience;

(2) at least one representative from an Illinois academic or clinical research institution with an active neurodegenerative disease research program; and

(3) at least one representative from an Illinois-based neuro-focused biotechnology or life-sciences company.

The Department of Public Health may expand Panel membership beyond the minimums set forth in this subsection as application volume or scientific scope requires, provided the proportional representation of translational and clinical experience is maintained.

(c) Each member shall serve a 2-year term and may be reappointed. The Director of Public Health may stagger initial terms to ensure continuity of review capacity.

(d) Panel members shall receive no compensation for their

service but may be reimbursed for reasonable expenses, subject to appropriation and applicable travel rules.

(e) All Panel members shall be screened for conflicts of interest with each applicant before each review cycle and shall recuse themselves from any review in which a conflict exists. Conflict screening may be administered by the third-party administrator contracted by the Department under subsection (c) of Section 35. The conflict screening administered by the third-party administrator shall address both direct conflicts with a specific applicant and any competitive relationship between a Panel member's institution or employer and the applicant that could reasonably be expected to affect the objectivity of the Panel member's recommendation. The Department of Public Health shall establish standards for competitive conflict screening in the third-party administrator contract. If no third-party administrator is under contract, the Department of Public Health shall administer conflict screening directly, subject to the same standards.

(f) The Panel shall produce a written funding recommendation for each application reviewed, including a scientific rationale supporting the recommendation. Recommendations shall be transmitted to the Department of Commerce and Economic Opportunity through the third-party administrator. Summary outcomes shall be included in the Department's annual public report under Section 45. Where no

third-party administrator is under contract, recommendations shall be transmitted directly by the Panel chair to the Department.

(g) The Panel shall meet at least quarterly, or more frequently as application volume requires. The Department of Public Health shall establish quorum requirements, recusal procedures, and meeting protocols for the Panel by rule. The Department of Public Health may establish a rolling application-review process in lieu of fixed quarterly meetings if program volume and Panel capacity support it, subject to the quorum and procedural requirements so established.

(h) Panel meetings are subject to the Open Meetings Act; provided, however, Panel recommendations transmitted to the Department shall not disclose proprietary scientific, technical, or financial information that is submitted by applicants and that is exempt from disclosure under Section 7(1)(g) of the Freedom of Information Act.

Section 20. Illinois Speed-a-Cure Fund.

(a) The Illinois Speed-a-Cure Fund is established as a special fund in the State treasury, to be administered by the Department. The Fund may receive State appropriations, qualified private contributions, licensing income obligation proceeds, revenue participation proceeds, and investment earnings. All licensing income and revenue participation proceeds received by the Fund shall be deposited into the Fund

and recycled exclusively to support future Fund awards. Moneys in the Fund shall not be transferred to the General Revenue Fund or any other fund except as otherwise expressly provided by law. Moneys in the Fund that are not immediately required for disbursement may be invested by the Illinois State Treasurer in accordance with the Treasurer's investment authority under State law, with earnings credited to the Fund. The Fund may also be used to pay reasonable administrative costs of the program, including fees payable to participating CDFIs and to the third-party Panel administrator under their respective program agreements, and necessary personnel costs for staff at the Illinois Department of Public Health and the Department of Commerce and Economic Opportunity required to administer this Act, subject to appropriation.

(b) Subject to appropriation, the State shall provide a dollar-for-dollar match of qualified contributions to the Fund, drawn from the initial State appropriation, up to a cumulative State matching cap of $5,000,000. The match shall be released by the Department on a rolling basis as qualified contributions are received and verified, until the cumulative cap is reached. The cumulative cap does not reset annually. The Department shall publish program standards governing the process for verifying qualified contributions, the timeline for releasing match funds, and required contributor documentation. The Department may place an administrative hold on a pending match release pending resolution of questions

about whether a contribution meets the definition of a qualified contribution and shall notify the contributor of the hold and its basis within 10 business days.

(c) Subject to appropriation and the Illinois Income Tax Act, a taxpayer who makes a qualified contribution to the Fund shall be allowed a credit against Illinois income tax liability as follows:

(1) The credit equals 33% of the qualified contribution made during the taxable year.

(2) The credit shall not exceed $250,000 per taxpayer per taxable year. For purposes of this subsection, taxpayers filing a joint return shall be considered one taxpayer.

(3) If the allowable credit exceeds the taxpayer's Illinois income tax liability for the taxable year, the excess shall be carried forward and applied against liability in subsequent taxable years, with no limit on the number of carryforward years, until fully used.

(4) The aggregate of all credits authorized statewide shall not exceed $15,000,000 per calendar year. Of that amount, 25% shall be reserved for credit-authorization certificates issued for qualified contributions that do not exceed $25,000. Reserved capacity not used by October 1 of the applicable calendar year shall be released into the general available cap for the remainder of that year. Unused cap authority for any calendar year shall carry

forward and be available for authorization in the immediately following calendar year, in addition to that year's base cap, provided that the total cap available in any single calendar year shall not exceed $20,000,000. No more than $5,000,000 of the cumulative statewide cap may be attributed to qualified contributions designated in support of any single Fund loan recipient. No credit-authorization certificate shall be issued for a qualified contribution of less than $1,000.

(5) In consultation with the Department of Revenue, the Department shall administer a credit-authorization certificate process under which taxpayers apply for and receive a certificate authorizing the credit before making a qualifying contribution. A credit-authorization certificate shall specify the authorized contribution amount, the taxable year to which the credit applies, and the credit amount authorized. A taxpayer may not claim the credit for a contribution made before receipt of a certificate. Credits shall be authorized on a first-come, first-served basis within the available cap. A credit is considered awarded on the date the Department issues the certificate. The Department shall coordinate with the Department of Revenue on certificate issuance and annual reconciliation.

(6) Beginning in the fourth year after initial Fund capitalization and annually thereafter, the Department

shall evaluate whether the Fund has achieved a defined capitalization and revenue-participation threshold established by rule. If the threshold is met, the Department may reduce the credit percentage by rule in increments of no more than 5 percentage points per year, to a floor of 15%. Any reduction is prospective only and does not affect previously issued credit-authorization certificates.

(7) To constitute a qualified contribution for purposes of both the match under subsection (b) and the credit under this subsection, a contribution must meet the definition in Section 10 of this Act. If the Department determines that a contribution for which a credit-authorization certificate was issued did not constitute a qualified contribution, the Department shall notify the Department of Revenue, which may recapture the credit in accordance with applicable provisions of the Illinois Income Tax Act.

(d) No credit-authorization certificate may be issued under paragraph (5) of subsection (c) after December 31 of the tenth year following the effective date of this Act, unless the General Assembly acts to extend the program. Credits authorized by certificates issued before the sunset date may continue to be claimed in subsequent taxable years pursuant to the carryforward under paragraph (3) of subsection (c).

(e) All Fund loans are subject to the availability of

appropriated funds. The Department shall not execute a loan agreement unless sufficient Fund balances are available at the time of execution to cover the full approved loan amount. Approval of a loan application by the Panel and the CDFI, if applicable, does not obligate the State to disburse funds in excess of available Fund balances.

(f) The Department may, upon recommendation of the Panel, designate a portion of Fund balances not to exceed 15% of the Fund's available balance in any fiscal year as a Patient Access Reserve. Moneys in the Patient Access Reserve shall be administered by a qualified third-party administrator selected by the Department through a competitive procurement process conducted in accordance with the Illinois Procurement Code. The third-party administrator shall disburse Patient Access Reserve funds solely to defray documented, out-of-pocket participation barriers for Illinois residents who are enrolled in a clinical trial supported by a Fund-funded research program and who meet one or more of the following criteria: (i) the resident is economically disadvantaged, as defined by income criteria established by the Department as program standards; (ii) the resident resides in a geographic area that presents a substantial distance or transportation barrier to trial participation, as defined by the Department as program standards; or (iii) the resident has been diagnosed with an eligible neurodegenerative disease and is experiencing significant functional limitations due to disease progression,

as documented by the treating physician and determined by the third-party administrator to create meaningful barriers to trial participation that would not otherwise exist. No disbursement shall be made as compensation for participation in a trial, as an inducement to enroll in a trial, or as payment for a participant's time. All disbursements shall be consistent with applicable federal regulations governing human subjects research, including regulations of the U.S. Department of Health and Human Services and the U.S. Food and Drug Administration governing informed consent and undue inducement, and shall be reviewed for compliance by the administering institution's Institutional Review Board before the third-party administrator makes any disbursements in connection with that trial. The Department, in consultation with the Panel, shall establish eligibility criteria and payment limits for Patient Access Reserve disbursements as program standards. Disbursements from the Patient Access Reserve do not constitute Fund loans and are not subject to the forgiveness conditions or participation obligations under Section 30.

Section 25. Application and award criteria.

(a) An applicant for a Fund loan shall submit an application in the form and manner prescribed by the Department. At a minimum, each application shall include a description of the proposed research or development scope, a

proposed milestone schedule, a proposed budget identifying all anticipated costs by eligible category, and a scientific rationale addressing the criteria in subsection (b). An applicant proposing a multi-site research program shall include a budget identifying costs to be incurred by the Illinois-based recipient separately from any costs associated with out-of-state collaborators and shall identify each out-of-state institution or facility involved and the nature of their participation. The Department shall publish application requirements and forms as program standards; formal rulemaking is not required.

(b) The Panel shall consider the following criteria in producing its funding recommendation:

(1) scientific merit and rigor of the proposed research, including the clarity of the research question, the strength of the scientific rationale, and the adequacy of the proposed methodology;

(2) potential significance of the proposed work to the understanding, treatment, prevention, or diagnosis of an eligible neurodegenerative disease;

(3) qualifications and track record of the principal investigator or research team;

(4) feasibility of the proposed milestone schedule and budget;

(5) likelihood that successful completion will generate subsequent federal, private, or venture funding;

(6) extent to which the proposed work fills a gap in existing federal or private research funding rather than duplicating funded work; and

(7) contribution to geographic, institutional, and demographic diversity in Fund-supported research, including whether the applicant is located in an underserved community, whether the proposed research addresses disease burden or health disparities experienced disproportionately by underserved populations, and whether the applicant institution or company has demonstrated commitment to inclusive research practices.

(c) The Department shall implement the equitable-access requirements set forth in subsection (b) of Section 35 in connection with program outreach and application administration.

Section 30. Use of funds.

(a) The Fund provides forgivable loans to support defined neurodegenerative disease research and development work by Illinois-based recipients. Loan proceeds shall be disbursed in tranches, released upon achievement of objective, pre-defined milestones and completion of required documentation as set forth in each loan agreement. The Fund operates through two forgivable-loan lanes as provided in subsections (b) and (c). Recipients receiving loans under subsection (b) are referred to in this Act as Lane A recipients. Recipients receiving

loans under subsection (c) are referred to in this Act as Lane B recipients. Loan proceeds received under this Act shall not constitute qualifying research expenses for purposes of the Illinois Research and Development Credit under Section 201 of the Illinois Income Tax Act to the extent such proceeds directly fund the expenses claimed.

(b) The following apply to Lane A recipients:

(1) Illinois universities, hospitals, or affiliated research foundations with active neurodegenerative disease research programs led by Illinois-based principal investigators are eligible. Where the recipient is an affiliated research foundation, the loan agreement shall require the sponsoring university or health system to acknowledge the loan agreement and the foundation's obligations thereunder.

(2) An applicant must demonstrate a credible scientific rationale for the proposed work, including a description of the research question, its relationship to existing scientific literature, and any preliminary data supporting the proposed approach. The Fund is designed to support Illinois-anchored research programs. Eligibility is not limited to research conducted exclusively in Illinois. The loan agreement shall specify any limitations on subawards or subcontracts to out-of-state collaborators, including the maximum proportion of loan proceeds that may flow to out-of-state entities.

(3) Loan proceeds may be used for the following costs directly tied to the funded research program: personnel costs including research staff, coordinators, and data analysts; laboratory and core-facility costs; patient or participant assessments; biomarker analysis; essential regulatory or IRB-preparation costs; and other costs directly tied to the funded research program as determined by the Department to be consistent with the purposes of this Act. Loan proceeds may not be used to supplant or replace expenditures already committed or covered by an existing federal or private grant award for the same defined scope of work. Loan proceeds may not be used for indirect costs or facilities and administrative costs unless the Department expressly authorizes such costs in the loan agreement. The Department may establish a standard indirect-cost allowance applicable to Lane A loans as a program standard; such allowance shall not require formal rulemaking.

(4) The loan is forgiven in full upon certification by the recipient institution that:

(A) the institution has maintained its Illinois research operations throughout the loan period and the funded program remains Illinois-based at the time of certification; and

(B) the funded work was conducted in good faith in accordance with the approved scope. Rigorous pursuit

of a research program that yields inconclusive or negative results satisfies the forgiveness condition, provided the work was conducted in accordance with the approved scope and applicable professional and ethical standards.

(5) If the funded work directly contributes to a licensable discovery and the recipient institution executes a license agreement with respect to that discovery, the institution shall pay to the Fund a defined percentage of net licensing proceeds attributable to that license. The licensing-income obligation applies on a per-license basis. The loan agreement shall define the scope of research to which the obligation attaches and the standard for determining whether a licensable discovery directly resulted from Fund-supported work.

(A) The institution's payment obligation continues at a primary percentage until the Fund has received cumulative proceeds from that license equal to a defined cap established by the Department. After the defined cap is reached, a reduced continuing percentage applies to all subsequent net licensing proceeds from the same license for the life of that license, with no termination date.

(B) This obligation runs through the institution's existing technology-transfer infrastructure and is designed to mirror, rather than displace, standard

university IP-monetization practice. The calculation is applied at the institutional level, consistent with the institution's standard technology-transfer revenue-allocation practice, and is not intended to alter the institution's standard distribution of licensing revenue between the institution and the inventor.

(C) The specific primary percentage, cap, and reduced continuing percentage shall be established by the Department as program standards and disclosed in each loan agreement.

(D) The Department shall have the right, upon reasonable notice, to audit the institution's records relevant to the calculation of net licensing proceeds for any license subject to this obligation.

(6) The Department shall establish minimum and maximum per-award loan amounts as program standards. Such standards shall not require formal rulemaking and may be adjusted by the Department as program experience warrants. Loans shall be sized to support defined research work within a project phase, not full program development. Successful completion of a Fund-supported phase shall be expected to generate a subsequent federal, private, or venture-capital funding application.

(7) Nothing in this subsection shall be construed to require any action by the recipient institution that would

violate applicable federal law governing the disposition of intellectual property developed with federal funding, including the Bayh-Dole Act. In the event of a conflict between this subsection and such federal law, federal law controls.

(c) The following apply to Lane B recipients:

(1) Eligible Early-Stage Neuro Companies certified by the Department under the certification process established in Section 35 of this Act are eligible.

(2) An applicant must demonstrate:

(A) an active neurodegenerative disease program with a defined scientific or clinical focus;

(B) a credible rationale for the proposed work, including the data, finding, or strategic basis that motivates the program; and

(C) that the proposed activity falls within neurodegenerative disease as defined in Section 10. Prior federal funding is not required; provided, however, an applicant shall disclose in its application all other State or federal funding received or pending for the proposed program and shall describe how the proposed use of Fund proceeds is distinct from or complementary to that funding.

(3) Loan proceeds may be used for the following costs directly tied to the funded research program: personnel costs including research staff, coordinators, and data

analysts; laboratory and core-facility costs; patient or participant assessments; biomarker analysis; essential regulatory or IRB-preparation costs; defined regulatory-strategy costs directly tied to the funded program, including pre-IND meeting preparation and FDA correspondence costs; early chemistry, manufacturing, and controls work or formulation work directly tied to the funded program where scientifically necessary and documented in the approved scope; and other costs directly tied to the funded research program as determined by the Department to be consistent with the purposes of this Act.

(4) The loan shall be forgiven upon certification that the recipient:

(A) has maintained its Illinois principal headquarters and material research and development operations in Illinois throughout the loan period and for at least 3 years following the date of final disbursement; and

(B) has completed the defined research scope set forth in the loan agreement or has exhausted approved loan proceeds in good-faith pursuit of that scope.

(5) For any for-profit recipient whose funded work contributes to a product, diagnostic, or licensed asset that reaches commercial revenue, the loan agreement shall include revenue-sharing obligations on the following terms:

(A) Revenue sharing does not attach, and no payment is due, until the recipient has achieved annual product sales or licensing revenue from a Fund-supported program exceeding a threshold established by the Department as program standards and disclosed in the loan agreement.

(B) Once the threshold is exceeded, tiered revenue-share percentages apply to annual revenue from Fund-supported programs. Tier thresholds and percentages shall be established by the Department as program standards and disclosed in the loan agreement. The Department may revise program standards governing revenue thresholds, tier percentages, and the defined multiple from time to time, provided that any revision applies prospectively only and does not affect the terms of loan agreements already executed.

(C) After the recipient has remitted revenue-share payments to the Fund equal in the aggregate to a multiple of the original loan amount established by the Department as program standards, a reduced revenue share applies to all subsequent annual revenue from Fund-supported programs. This obligation has no termination date.

(D) The revenue-participation obligation under this subsection is subordinate to any secured-debt obligations of the recipient in effect at the time of

loan execution or subsequently incurred in the ordinary course of financing the recipient's operations. It does not constitute a lien, security interest, or encumbrance on any asset or intellectual property of the recipient and shall not be recorded as such in any public filing. The loan agreement shall define the scope of revenue subject to this obligation, specify applicable subordination terms, and shall constitute the revenue-participation agreement.

(d) Where Fund-supported work subject to a Lane A licensing-income obligation under paragraph (5) of subsection (b) directly contributes to the research program of a Lane B recipient, the loan agreements for both awards shall address the allocation of any participation obligations to avoid duplicative State participation on the same underlying discovery. This provision applies whether the Lane A and Lane B obligations are held by the same entity or by separate entities whose funded work contributed to the same underlying discovery.

(e) Each Fund loan shall be memorialized in a written loan agreement executed between the Department, the recipient, and the participating CDFI if one is under agreement. Each loan agreement shall at a minimum address:

(1) the approved research scope and budget;

(2) the milestone and disbursement schedule and the

conditions for each tranche release;

(3) the applicable forgiveness conditions, including, for Lane B recipients, the scope of the recipient's material research and development operations for purposes of the Illinois-retention condition under subparagraph (A) of paragraph (4) of subsection (c);

(4) the licensing-income or revenue-participation obligations, as applicable, including the specific percentages, thresholds, and caps established by the Department as program standards;

(5) the interest rate applicable upon a forgiveness void, which shall not exceed the greater of the rate then applicable to State of Illinois general-obligation bonds at the time of loan execution or 3% per annum;

(6) for Lane A recipients, procedures governing continuity of the loan in the event the designated principal investigator departs the recipient institution during the loan period, including the conditions under which the recipient institution may designate a successor principal investigator acceptable to the Department and the conditions under which departure without an acceptable successor constitutes a material change requiring Department review. A loan shall not be automatically accelerated or forgiveness voided solely due to departure of the principal investigator where the recipient institution proposes a qualified successor in accordance

with the procedures set forth in the loan agreement;

(7) the obligation of the recipient to notify the Department within 90 days of executing any license agreement or entering into any commercial-revenue arrangement with respect to a program or discovery to which Fund-supported work directly contributed, regardless of whether proceeds have been received, and the required content of that notice;

(8) procedures for demand and collections upon a forgiveness void, including referral to the Attorney General where appropriate;

(9) the requirement that each recipient execute a promissory note in favor of the Fund in the full amount of the loan, to be held by the participating CDFI on behalf of the Fund, or by the Department directly if no CDFI is under agreement, and to become due and payable upon any event that voids forgiveness under this Act, with demand and collections procedures as specified in paragraph (8);

(10) where a transaction described in paragraph (1) of subsection (f) results in assumption of loan obligations by a successor or acquirer, whether the successor shall execute a replacement promissory note in favor of the Fund; and

(11) procedures for an administrative hold on the milestone schedule in the event of a regulatory delay outside the recipient's control, including an IRB

suspension, FDA clinical hold, or similar regulatory action, including the conditions for reinstatement of the milestone schedule upon resolution of the delay.

(f) The following provisions apply to all Fund loans under this Section regardless of lane:

(1) In the event of a merger, consolidation, or acquisition of all or substantially all of the assets or equity of a loan recipient, or, in the case of a Lane A recipient, any merger, consolidation, or acquisition involving the recipient institution, prior to satisfaction of the applicable forgiveness conditions, the acquirer or successor shall assume all financial obligations of the recipient under the loan agreement, including any repayment obligation, licensing-income obligation, and revenue-participation obligation. The loan agreement shall specify the procedures governing assumption of loan obligations upon such a transaction. The recipient shall provide the Department with written notice at least 30 days prior to the closing of any such transaction. Failure to provide timely notice does not affect the acquirer's assumption obligation but may constitute a basis for the Department to accelerate any outstanding repayment obligation. Where the transaction involves a Lane A recipient, the assumption obligation includes licensing-income obligations under paragraph (5) of subsection (b) with respect to all licenses executed by

the recipient institution before or after the transaction.

(2) Misrepresentation of eligibility criteria or material misuse of loan proceeds voids forgiveness under this Section and triggers immediate full repayment of all disbursed proceeds at the interest rate set forth in the loan agreement.

Section 35. Eligible Early-Stage Neuro Company certification.

(a) The Department shall establish by rule a certification process for Eligible Early-Stage Neuro Companies seeking Lane B loans under subsection (c) of Section 30 of this Act. At a minimum, certification criteria shall include factors such as company size and stage; Illinois headquarters and operations requirements; the existence of an active neurodegenerative disease research or development program; and any prior award or funding history relevant to program integrity, including prior defaults on State or federal funding obligations.

(b) The Department shall establish application requirements, a review timeline, a certificate of certification, and a renewal process. Certification may be revoked if a recipient no longer meets the criteria or makes a material misrepresentation in its application. The Department shall publish program standards defining what constitutes a complete certification application and the grounds for denial; such standards shall not require formal rulemaking. The

Department shall render a certification decision within 60 days of receiving a complete certification application. The Department may establish differentiated renewal requirements based on a company's funding history and program participation, including streamlined renewal for active loan recipients.

Section 40. Program administration.

(a) The Fund shall be administered through a structure designed to ensure that scientific-merit review, financial underwriting, and program administration are each performed by the entity best positioned for that function, which may include the Department, the Speed-a-Cure Scientific Advisory Panel, a participating CDFI, and a third-party Panel administrator, as available and applicable.

(b) The Department shall have primary responsibility for program administration, including:

(1) adopting rules governing program eligibility, certification standards, reporting requirements, and other program-wide standards consistent with this Act;

(2) administering the tax-credit certification process in coordination with the Department of Revenue;

(3) entering into and overseeing standardized program agreements with participating CDFIs;

(4) conducting threshold eligibility screening of applications before referral to the Panel;

(5) maintaining public reporting on Fund activity as required under Section 45; and

(6) establishing one or more dedicated Fund Program Manager positions with responsibility for day-to-day program operations, CDFI relationship management, Panel-administration coordination, compliance monitoring, and annual reporting.

In administering the Fund, the Department shall take affirmative steps to promote equitable access to the program, including publishing program materials and application guidance in plain language accessible to institutions and companies without dedicated grant-writing staff; conducting outreach to eligible institutions and companies in underserved communities and to researchers whose work addresses disease burden experienced disproportionately by underserved populations; and reporting annually on the geographic, institutional, and demographic distribution of applicants and recipients as part of the Annual Report required under Section 45. The Department shall not make scientific-merit determinations or financial-credit decisions on individual loan applications.

The Department shall enter into an interagency agreement with the Department of Public Health to coordinate the administration of Panel operations under Section 15 and program administration under this Section, including procedures for transmitting Panel recommendations, sharing

application materials subject to confidentiality requirements, and resolving operational disputes.

(c) Scientific-merit review of all loan applications shall be conducted by the Panel established under Section 15. The Department may contract with a third-party administrator, in coordination with the Department of Public Health, selected through a competitive procurement process conducted in accordance with the Illinois Procurement Code. The third-party administrator, which may be a nonprofit organization, research foundation, or quasi-governmental administrator, shall administer Panel operations, including reviewer recruitment and appointment coordination, conflict-of-interest screening, meeting logistics, documentation, and secure transmission of recommendations to the Department. The third-party administrator shall hold no approval authority and shall not participate in Panel merit deliberations. A loan application may not proceed to financial underwriting without a positive Panel recommendation. The contract shall specify performance standards, conflict-of-interest requirements, and grounds for termination. In the event of termination of the third-party administrator contract, the Department may appoint an interim administrator on a sole-source basis for a period not to exceed 180 days while conducting a new competitive procurement, provided the interim administrator meets the conflict-of-interest requirements specified in this Act.

(d) Financial underwriting of all applications that have

received a positive Panel recommendation may be performed by a participating CDFI under a standardized program agreement with the Department. In performing financial underwriting, the CDFI shall evaluate:

(1) the applicant's financial position and administrative capacity to receive and manage the loan;

(2) the proposed budget for reasonableness and compliance with the eligible-use categories under Section 30(b)(3) or 30(c)(3), as applicable; and

(3) the milestone and disbursement schedule for administrability.

The CDFI shall service all approved loans, monitor tranche releases against milestone-completion reports, and report aggregate compliance and performance data to the Department on a quarterly basis. Where no CDFI is under agreement, the Department shall perform these servicing and monitoring functions directly. Unless otherwise agreed to by the Department and the participating CDFI, the CDFI does not deploy its own capital in connection with Fund loans. All loan proceeds are disbursed directly from the Fund. The standardized program agreement shall specify the compensation structure for the CDFI's underwriting and servicing functions. The Department may structure compensation as an administrative fee paid from the Fund, an origination or servicing fee charged to recipients, a State appropriation for program-administration costs, or any combination of these

approaches, as the Department determines appropriate after consultation with participating CDFIs. The compensation structure shall be disclosed in the program agreement and included in the Department's annual public report under Section 45.

(e) A loan may not be approved and no funds may be disbursed without both a positive Panel recommendation and a credit approval. Where a participating CDFI is under agreement, credit approval shall be issued by the CDFI. Where no CDFI is under agreement and the Department is performing underwriting directly under subsection (h), credit approval shall be issued by the Department. Neither the Panel nor the approving financial underwriter may approve a loan application independently; both approvals are required.

(f) The Department shall publish program standards establishing an administrative review process for applicants whose applications are denied, including the grounds for review and timeline for decision. Such standards shall not require formal rulemaking.

(g) Application materials submitted to the Department or the Panel that contain proprietary scientific, technical, or financial information shall be treated as confidential and exempt from disclosure under paragraph (g) of subsection (1) of Section 7 of the Freedom of Information Act as trade-secret or proprietary information. The Department shall publish procedures for applicants to designate confidential

information. Nothing in this subsection limits the Department's obligation to publish the Annual Report required under Section 45, including disclosure of recipients and award amounts as required therein.

(h) The Department may approve one or more CDFIs to participate in the program simultaneously and may substitute a successor CDFI upon termination of an existing program agreement, with continuity of servicing for existing loans. If the Department is unable to identify a qualified CDFI willing to participate under a standardized program agreement, the Department may perform the financial-underwriting function described in subsection (d) directly until a participating CDFI is under agreement, provided that the Department does not make scientific-merit determinations in connection with that function.

(i) The Department shall publish on its website a target timeline for processing Fund loan applications from submission of a complete application through final approval or denial.

(j) Department program staff involved in application screening or administration shall be subject to the State Officials and Employees Ethics Act and shall recuse themselves from any application in which they have a personal or financial interest.

Section 45. Reporting.

(a) Beginning 12 months after the effective date of this

Act and annually thereafter, the Department shall prepare, submit, and publish a single consolidated Annual Report regarding implementation of this Act, including a summary of Panel activity prepared by the Panel administrator, or by the Department of Public Health where no administrator is under contract. The Department shall submit the Annual Report to the Governor and the General Assembly and shall post the Annual Report on the Department's publicly available website, so long as no confidential or identifying information is disclosed.

(b) At a minimum, the Annual Report shall include:

(1) awards made from the Fund, amounts disbursed, recipients, and the lane under which each award was made;

(2) the number of applications received, Panel recommendations issued, applications approved, and applications denied, with a summary of the primary grounds for denial;

(3) tax-credit authorization certificates issued, qualified contributions received, State match deployed, and remaining match availability under the cumulative cap;

(4) licensing-income and revenue-participation proceeds received by the Fund and amounts recycled into the Fund;

(5) any recommendations for legislative or administrative action; and

(6) a report on the geographic, institutional, and demographic distribution of applicants and award

recipients during the prior year, including a description of any outreach activities conducted by the Department to promote equitable access.

The Department may by rule establish additional reporting requirements, reporting formats, and performance metrics consistent with the purposes of this Act.

Section 50. Rulemaking.

(a) The Department may adopt rules necessary to implement this Act, consistent with the Illinois Administrative Procedure Act.

(b) Initial rules shall be adopted within 12 months after the effective date of this Act. The Department may adopt emergency rules under Section 5-45 of the Illinois Administrative Procedure Act to implement the Fund on an expedited basis. Pending adoption of initial rules, the Department may implement the Fund through published interim program standards consistent with this Act. Interim program standards shall be superseded by formally adopted rules upon their effective date.

Section 55. Limitations.

(a) Nothing in this Act shall be construed to create an entitlement to a Fund loan, a tax-credit authorization, or State match funds.

(b) Nothing in this Act shall be construed to require the

Department to process any application within a particular timeline or to approve any application that meets minimum eligibility criteria.

(c) Fund loans are not State grants and shall not be treated as such for purposes of other State programs or reporting requirements.

Section 60. Continuity of obligations. Expiration of the tax-credit authorization under Section 20(d), depletion of Fund balances, or cessation of new-award activity does not affect the validity or enforceability of any loan agreement, promissory note, licensing-income obligation, or revenue-participation obligation executed prior to such event. All such obligations shall remain in full force and effect and shall continue to be administered by the Department and the participating CDFI, if any, in accordance with their terms.

Section 900. The Illinois Administrative Procedure Act is amended by adding Section 5-45.71 as follows:

(5 ILCS 100/5-45.71 new)

Sec. 5-45.71. Emergency rulemaking; Speed-a-Cure Fund Act. To provide for the expeditious and timely implementation of the Speed-a-Cure Fund Act, emergency rules implementing the Act may be adopted in accordance with Section 5-45 by the Department of Commerce and Economic Opportunity. The adoption

of emergency rules authorized by Section 5-45 and this Section is deemed to be necessary for the public interest, safety, and welfare.

This Section is repealed one year after the effective date of this amendatory Act of the 104th General Assembly.

Section 905. The State Finance Act is amended by adding Section 5.1038 as follows:

(30 ILCS 105/5.1038 new)

Sec. 5.1038. The Illinois Speed-a-Cure Fund.

Section 910. The Illinois Income Tax Act is amended by adding Section 246 as follows:

(35 ILCS 5/246 new)

Sec. 246. Speed-a-Cure Fund Contribution Credit.

(a) For taxable years ending on or after the effective date of this Act, a taxpayer who makes a qualified contribution to the Illinois Speed-a-Cure Fund shall be allowed a credit against the taxes imposed under subsections (a) and (b) of Section 201 of this Act.

(b) The credit amount, per-taxpayer cap, statewide cap, carryforward, phase-down, and qualification requirements are as set forth in subsection (c) of Section 20 of the Speed-a-Cure Fund Act and implementing rules adopted by the

Department.

(c) The credit is not refundable. Excess credit shall be carried forward as provided in paragraph (3) of subsection (c) of Section 20 of the Speed-a-Cure Fund Act.

(d) A taxpayer claiming this credit shall attach to its Illinois return a copy of the credit-authorization certificate issued by the Department for the qualified contribution.

(e) No credit shall be allowed under this Section for any portion of a contribution for which a federal charitable deduction under Section 170 of the Internal Revenue Code, together with this credit, would produce a combined tax benefit exceeding the amount of the contribution. The Department and the Department of Revenue shall adopt coordinating rules to implement this subsection.

Section 997. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 999. Effective date. This Act takes effect upon becoming law.".