



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1121

by Rep. Mike Boland

SYNOPSIS AS INTRODUCED:

10	ILCS 5/Art. 9A heading new	
10	ILCS 5/9A-5 new	
10	ILCS 5/9A-10 new	
10	ILCS 5/9A-15 new	
10	ILCS 5/9A-20 new	
10	ILCS 5/9A-25 new	
10	ILCS 5/9A-30 new	
10	ILCS 5/9A-35 new	
10	ILCS 5/9A-40 new	
10	ILCS 5/9A-45 new	
10	ILCS 5/9A-50 new	
10	ILCS 5/9A-55 new	
30	ILCS 105/5.675 new	
35	ILCS 5/506.7 new	
35	ILCS 5/509	from Ch. 120, par. 5-509
35	ILCS 5/510	from Ch. 120, par. 5-510

Amends the Election Code, the State Finance Act, and the Illinois Income Tax Act. Establishes a voluntary system of public financing of campaigns for the offices of judges of the Illinois Supreme and Appellate Courts, administered by the State Board of Elections. Specifies limits on campaign contributions and expenditures with respect to all candidates for those offices. Creates the necessary fund in the State treasury and the income tax checkoff for the public financing system. Effective immediately.

LRB095 07974 JAM 28136 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by adding the
5 heading of Article 9A and Sections 9A-5, 9A-10, 9A-15, 9A-20,
6 9A-25, 9A-30, 9A-35, 9A-40, 9A-45, 9A-50, and 9A-55 as follows:

7 (10 ILCS 5/Art. 9A heading new)

8 ARTICLE 9A. PUBLIC CAMPAIGN FINANCING

9 (10 ILCS 5/9A-5 new)

10 Sec. 9A-5. Purpose of the Illinois Public Campaign
11 Financing Fund. The purpose of this Article is to ensure the
12 fairness of democratic elections in Illinois and to protect the
13 constitutional rights of voters and candidates from the
14 detrimental effects of increasingly large amounts of money
15 being raised and spent to influence the outcome of elections,
16 those effects being especially problematic in elections of the
17 judiciary, as impartiality is uniquely important to the
18 integrity and credibility of the courts. Accordingly, this
19 Article establishes the Illinois Public Campaign Financing
20 Fund as an alternative source of campaign financing for
21 candidates who demonstrate public support and voluntarily
22 accept strict fund-raising and spending limits. This Article is

1 available to candidates for Judge of the Illinois Supreme Court
2 and for Judge of the Illinois Appellate Court in elections to
3 be held in 2008 and thereafter.

4 (10 ILCS 5/9A-10 new)

5 Sec. 9A-10. Definitions. As used in this Article:

6 "Board" means the State Board of Elections.

7 "Candidate" means an individual who becomes a candidate as
8 described in Section 9-1.3 for the office of Judge of the
9 Illinois Supreme or Judge of the Illinois Appellate Court. The
10 term includes a political committee authorized by the candidate
11 for that candidate's election.

12 "Certified candidate" means a candidate running for office
13 who chooses to receive campaign funds from the Fund and who is
14 certified under Section 9A-20.

15 "Contested primary" and "contested general election" mean
16 an election in which there are more candidates than the number
17 to be elected.

18 "Contribution" means a contribution as defined in Section
19 9-1.4. A distribution from the Fund pursuant to this Article is
20 not a "contribution".

21 "Expenditure" means an expenditure as defined in Section
22 9-1.5.

23 "Fund" means the Illinois Public Campaign Financing Fund
24 established in this Article.

25 "Maximum qualifying contributions" means an amount of

1 qualifying contributions equal to 60% of the annual
2 compensation for the office.

3 "Minimum qualifying contributions" means an amount of
4 qualifying contributions equal to 20% of the annual
5 compensation for the office.

6 "Nonparticipating candidate" means a candidate running for
7 office who is not seeking to be certified under Section 9A-20).

8 "Office" means the office of Judge of the Illinois
9 Appellate Court or Judge of the Illinois Supreme Court.

10 "Participating candidate" means a candidate for office who
11 has filed a declaration of intent to participate under Section
12 9A-20.

13 "Political committee" means a political committee as
14 defined in Section 9-1..9.

15 "Qualifying contribution" means a contribution of not less
16 than \$10 and not more than \$500 in the form of a check or money
17 order to the candidate or the candidate's committee that is (i)
18 made by any registered voter in this State and (ii) made during
19 the qualifying period and obtained with the approval of the
20 candidate or candidate's committee.

21 "Qualifying period" means the period beginning September 1
22 in the year before the relevant election and ending on the day
23 of the primary before the relevant election.

24 "Trigger for rescue funds" means the dollar amount at which
25 rescue funds are released for certified candidates. In the case
26 of a primary, the trigger equals the maximum qualifying

1 contributions for participating candidates. In the case of a
2 contested general election, the trigger equals the base level
3 of funding available under subsection (b)(4) of Section 9A-25.

4 (10 ILCS 5/9A-15 new)

5 Sec. 9A-15. Illinois Public Campaign Financing Fund
6 established; sources of funding.

7 (a) The Illinois Public Campaign Financing Fund is
8 established as a special fund in the State treasury to finance
9 the election campaigns of certified candidates for office and
10 to pay administrative and enforcement costs of the Board
11 related to this Article. All expenses of administering this
12 Article and personnel and other costs incurred by the Board
13 shall be paid from the Fund and not from the General Revenue
14 Fund. Any interest generated by the Fund is credited to the
15 Fund. The Board shall administer the Fund.

16 (b) Money received from all the following sources must be
17 deposited into the Fund:

18 (1) Designations made to the Illinois Public Campaign
19 Financing Fund by individual taxpayers pursuant to the
20 Illinois Income Tax Act.

21 (2) Any contributions made by attorneys in accordance
22 with Section 9A-55.

23 (3) Illinois Public Campaign Financing Fund revenues
24 distributed for an election that remain unspent or
25 uncommitted at the time the recipient is no longer a

1 certified candidate in the election.

2 (4) Money ordered returned to the Illinois Public
3 Campaign Financing Fund in accordance with Section 9A-45.

4 (5) Voluntary donations made directly to the Illinois
5 Public Campaign Financing Fund. Corporations, other
6 business entities, labor unions, and professional
7 associations may make donations to the Fund.

8 (c) By October 1, 2007, and every 2 years thereafter, the
9 Board, in conjunction with the Advisory Council for the
10 Illinois Public Campaign Financing Fund, shall prepare and
11 provide to the General Assembly a report documenting,
12 evaluating, and making recommendations relating to the
13 administration, implementation, and enforcement of this
14 Article. In its report, the Board shall set out the funds
15 received to date and the expected needs of the Fund for the
16 next election.

17 (10 ILCS 5/9A-20 new)

18 Sec. 9A-20. Requirements for participation; certification
19 of candidates.

20 (a) Any individual choosing to receive campaign funds from
21 the Fund shall first file with the Board a declaration of
22 intent to participate in this Article as a candidate for a
23 stated office. The declaration of intent shall be filed before
24 or during the qualifying period and before collecting any
25 qualifying contributions. In the declaration, the candidate

1 shall swear or affirm that only one political committee,
2 identified with its treasurer, shall handle all contributions,
3 expenditures, and obligations for the participating candidate
4 and that the candidate will comply with the contribution and
5 expenditure limits set forth in subsection (d) of this Section
6 and all other requirements set forth in this Article or adopted
7 by the Board. Failure to comply is a violation of this Article.

8 (b) Participating candidates who seek certification to
9 receive campaign funds from the Fund shall first, during the
10 qualifying period, obtain qualifying contributions from at
11 least 175 registered voters in an aggregate sum that at least
12 equals the amount of minimum qualifying contributions
13 described in Section 9A-10 but that does not exceed the amount
14 of maximum qualifying contributions described in Section
15 9A-10.

16 No payment, gift, or anything of value shall be given in
17 exchange for a qualifying contribution.

18 (c) Upon receipt of a submittal of the record of
19 demonstrated support by a participating candidate, the Board
20 shall determine whether or not the candidate has complied with
21 all the following requirements, if they apply to that
22 candidate:

23 (1) Signed and filed a declaration of intent to
24 participate in this Article.

25 (2) Submitted a report itemizing the appropriate
26 number of qualifying contributions received from

1 registered voters, which the Board shall verify through a
2 random sample or other means it adopts. The report shall
3 include the county of residence of each registered voter
4 listed.

5 (3) Qualified to receive votes on the ballot as a
6 candidate for the office.

7 (4) Otherwise met the requirements for participation
8 in this Article.

9 The Board shall certify candidates complying with the
10 requirements of this Section as soon as possible and no later
11 than 5 business days after receipt of a satisfactory record of
12 demonstrated support.

13 (d) The following restrictions shall apply to
14 contributions and expenditures with respect to participating
15 and certified candidates:

16 (1) Beginning January 1 of the year before the election
17 and before the filing of a declaration of intent, a
18 candidate for office may accept in contributions up to
19 \$10,000 from sources and in amounts permitted by this Code
20 and may expend up to \$10,000 for any campaign purpose. A
21 candidate who exceeds either of these limits shall be
22 ineligible to file a declaration of intent or receive funds
23 from the Illinois Public Campaign Financing Fund.

24 (2) From the filing of a declaration of intent through
25 the end of the qualifying period, a candidate shall expend
26 no more than an amount equal to the maximum qualifying

1 contributions for that candidate, not including possible
2 rescue funds or the remaining money raised pursuant to
3 paragraph (1) of this subsection. Contributions a
4 candidate may use to expend to that limit shall be limited
5 to qualifying contributions and personal and family
6 contributions permitted by paragraph (4) of this
7 subsection.

8 (3) After the qualifying period and through the date of
9 the general election, the candidate shall expend only the
10 funds the candidate receives from the Fund pursuant to
11 subsection (b) (4) of Section 9A-25 plus any funds remaining
12 from the qualifying period and possible rescue funds.

13 (4) During the qualifying period, the candidate may
14 contribute up to \$2,500 of that candidate's own money to
15 the campaign and may accept in contributions \$1,000 from
16 each member of that candidate's family consisting of
17 spouse, parent, child, brother, and sister.

18 (5) A candidate and the candidate's committee shall
19 limit the use of all revenues permitted by this subsection
20 to expenditures for campaign-related purposes only. The
21 Board shall publish guidelines outlining permissible
22 campaign- related expenditures.

23 (6) Any contribution received by a participating or
24 certified candidate that falls outside that permitted by
25 this subsection shall be returned to the donor as soon as
26 practical. Contributions intentionally made, solicited, or

1 accepted in violation of this Article are subject to civil
2 penalties as specified in Section 9A-45. The funds involved
3 shall be forfeited to the Fund.

4 (7) A candidate shall return to the Fund any amount
5 distributed for an election that is unspent and uncommitted
6 at the date of the election, or at the time the individual
7 ceases to be a certified candidate, whichever occurs first.
8 For accounting purposes, all qualifying, personal, and
9 family contributions shall be considered spent before
10 revenue from the Fund is spent or committed.

11 (e) A candidate may revoke, in writing to the Board, a
12 decision to participate in the Illinois Public Campaign
13 Financing Fund at any time before the deadline for the
14 candidate's submission of information for the Voter's Guide
15 under Article 12A. After a timely revocation, that candidate
16 may accept and expend outside the limits of this Article, other
17 than Section 9A-50, without violating this Article. Within 10
18 days after revocation, a candidate shall return to the Board
19 all money received from the Fund.

20 (10 ILCS 5/9A-25 new)

21 Sec. 9A-25. Distribution from the Fund.

22 (a) The Board shall distribute to a certified candidate
23 revenue from the Fund in an amount determined under subsection
24 (b)(4) of this Section within 5 business days after the
25 certified candidate's name is approved to appear on the ballot

1 in a contested general election, but no earlier than 5 business
2 days after the primary.

3 (b) By August 1, 2007, and no less frequently than every 2
4 years thereafter, the Board shall determine the amount of
5 funds, rounded to the nearest \$100, to be distributed to
6 certified candidates as follows:

7 (1) Uncontested primaries. No funds shall be
8 distributed.

9 (2) Contested primaries. No funds shall be distributed
10 except as provided in Section 9A-35.

11 (3) Uncontested general elections. No funds shall be
12 distributed.

13 (4) Contested general elections. Funds shall be
14 distributed to a certified candidate for a position on the
15 Illinois Appellate Court in an amount equal to 125% of the
16 annual compensation for the office of Judge of the Illinois
17 Appellate Court. Funds shall be distributed to a certified
18 candidate for a position on the Illinois Supreme Court in
19 an amount equal to 175% of the annual compensation for the
20 office of Judge of the Illinois Supreme Court.

21 (c) The Board, in consultation with the State Treasurer and
22 the State Comptroller, shall develop a rapid, reliable method
23 of conveying funds to certified candidates. In all cases, the
24 Board shall distribute funds to certified candidates in a
25 manner that is expeditious, ensures accountability, and
26 safeguards the integrity of the Fund. If the money in the Fund

1 is insufficient to fully fund all certified candidates, then
2 the available money shall be distributed proportionally,
3 according to each candidate's eligible funding.

4 (10 ILCS 5/9A-30 new)

5 Sec. 9A-30. Reporting requirements.

6 (a) Any noncertified candidate with a certified opponent
7 shall report total income, expenses, and obligations to the
8 Board by facsimile machine or electronically within 24 hours
9 after the total amount of campaign expenditures or obligations
10 made, or funds raised or borrowed, exceeds 80% of the trigger
11 for rescue funds as described in Section 9A-10. Any entity
12 other than a candidate making expenditures in excess of \$3,000
13 in support of or opposition to a certified candidate shall
14 report the total funds received, spent, or obligated for those
15 expenditures to the Board by facsimile machine or
16 electronically within 24 hours after the total amount of
17 expenditures or obligations made, or funds raised or borrowed,
18 for the purpose of making the expenditures, exceeds 50% of the
19 trigger for rescue funds. After this 24-hour filing, the
20 noncertified candidate or the entity other than the candidate
21 shall comply with an expedited reporting schedule by filing
22 additional reports after receiving each additional amount in
23 excess of \$1,000 or after making or obligating to make each
24 additional expenditure or expenditures in excess of \$1,000. The
25 schedule and forms for reports required by this subsection

1 shall be made according to procedures developed by the Board.

2 (b) Notwithstanding other provisions of law, participating
3 and certified candidates shall report any money received,
4 including all previously unreported qualifying contributions,
5 all campaign expenditures, all obligations, and all related
6 activities to the Board according to procedures developed by
7 the Board. A certified candidate who ceases to be certified or
8 ceases to be a candidate or who loses an election shall file a
9 final report with the Board and return any unspent revenues
10 received from the Fund. In developing these procedures, the
11 Board shall use existing campaign reporting procedures
12 whenever practical.

13 (c) The Board shall ensure prompt public access to the
14 reports received in accordance with this Article. The Board may
15 use electronic means of reporting and storing information.

16 (10 ILCS 5/9A-35 new)

17 Sec. 9A-35. Rescue funds.

18 (a) When any report or group of reports shows that funds in
19 opposition to a certified candidate or in support of an
20 opponent to that candidate, as described in this Section,
21 exceed the trigger for rescue funds as described in Section
22 9A-10, the Board shall issue immediately to that certified
23 candidate an additional amount equal to the reported excess
24 within the limits set forth in this Section. "Funds in
25 opposition to a certified candidate or in support of an

1 opponent to that candidate" shall be equal to the sum of the
2 following:

3 (1) Campaign expenditures or obligations made, or
4 funds raised or borrowed, whichever is greater, reported by
5 any one uncertified opponent of a certified candidate. If a
6 certified candidate has more than one uncertified
7 opponent, the measure shall be taken from the uncertified
8 candidate showing the highest relevant dollar amount.

9 (2) The sum of all expenditures reported in accordance
10 with Section 9A-30 of entities other than candidates making
11 expenditures in opposition to the certified candidate or in
12 support of any opponent of that certified candidate.

13 (b) Total rescue funds to a certified candidate in a
14 contested primary shall be limited to an amount equal to 2
15 times the maximum qualifying contributions for the office
16 sought.

17 (c) Total rescue funds to a certified candidate in a
18 contested general election shall be limited to an amount equal
19 to 2 times the amount described in subsection (b) (4) of Section
20 9A-25.

21 (10 ILCS 5/9A-40 new)

22 Sec. 9A-40. Enforcement and administration.

23 (a) The Board, with the advice of the Advisory Council for
24 the Illinois Public Campaign Financing Fund, shall administer
25 the provisions of this Article.

1 (b) There is established under the Board the Advisory
2 Council for the Illinois Public Campaign Financing Fund to
3 advise the Board on the rules, procedures, and opinions it
4 adopts for the enforcement and administration of this Article
5 and on the funding needs and operation of the Illinois Public
6 Campaign Financing Fund. The Advisory Council shall consist of
7 5 members to be appointed as follows:

8 (1) The Governor and Lieutenant Governor shall each
9 name one member from a list of 5 nominees submitted by the
10 State Chair of the political party with which the greatest
11 number of registered voters in Illinois is affiliated.

12 (2) The Governor and Lieutenant Governor shall each
13 name one member from a list of 5 nominees submitted by the
14 State Chair of the political party with which the second
15 greatest number of registered voters in Illinois is
16 affiliated.

17 (3) The Board shall name one member by unanimous vote
18 of all members of the Board. If the Board cannot reach
19 unanimity on the appointment of that member, the Advisory
20 Council shall consist of the remaining members.

21 No individual shall be eligible to be a member of the
22 Advisory Council who would be ineligible to serve on a board of
23 election commissioners in accordance with Article 6 or Article
24 6A. The initial members shall be appointed by December 1, 2006.
25 Of the initial appointees, one by the Governor and one by the
26 Lieutenant Governor, as determined by those appointing

1 authorities, are appointed for one-year terms, one by the
2 Governor and one by the Lieutenant Governor, as determined by
3 those appointing authorities, are appointed for 2-year terms,
4 and the member appointed by the Board is appointed for a 3-year
5 term. Thereafter, appointees are appointed to serve 4-year
6 terms. An individual may not serve more than 2 full terms. The
7 appointed members shall receive no compensation but shall be
8 reimbursed for reasonable expenses incurred in the performance
9 of their duties. One of the Advisory Council members shall be
10 elected by the members as Chair. A vacancy during an unexpired
11 term shall be filled by the original appointing authority in
12 the same manner as the regular appointment for that term, but a
13 vacancy appointment is only for the unexpired portion of the
14 term.

15 (c) The initial decision on an issue concerning
16 qualification, certification, or distribution of funds under
17 this Article shall be made by the Executive Director of the
18 Board. The procedure for challenging that decision is as
19 follows:

20 (1) An individual or entity aggrieved by a decision by
21 the Executive Director of the Board may appeal to the full
22 Board within 3 business days of the decision. The appeal
23 shall be in writing and shall set forth the reasons for the
24 appeal.

25 (2) Within 5 business days after an appeal is properly
26 made, and after due notice is given to the parties, the

1 Board shall hold a hearing. The appellant has the burden of
2 providing evidence to demonstrate that the decision of the
3 Executive Director was improper. The Board shall rule on
4 the appeal within 3 business days after the completion of
5 the hearing.

6 (d) The Board shall adopt rules and issue opinions to
7 ensure effective administration of this Article. Those rules
8 and opinions shall include, but not be limited to, procedures
9 for obtaining qualifying contributions, certification of
10 candidates, vacancies, recounts, withdrawals, replacements,
11 collection of revenues for the Fund, distribution of Fund
12 revenue to certified candidates, return of unspent Fund
13 disbursements, and compliance with this Article. The Board
14 shall adopt procedures for the distribution of rescue money
15 that further the purpose and avoid the subversion of Section
16 9A-35. For races involving recounts, vacancies, withdrawals,
17 or replacement candidates, the Board shall establish
18 procedures for qualification, certification, disbursement of
19 Fund revenues, and return of unspent Fund revenues. The Board
20 shall fulfill each of these duties in consultation with the
21 Advisory Council on the Illinois Public Campaign Financing
22 Fund.

23 (e) The Advisory Council for the Illinois Public Campaign
24 Financing Fund shall issue a report by March 1, 2009, and every
25 2 years thereafter that evaluates and makes recommendations
26 about the implementation of this Article and the feasibility of

1 expanding its provisions to include other candidates for State
2 office based on the experience of the Fund and the experience
3 of similar programs in other states. The Advisory Council shall
4 also evaluate and make recommendations regarding how to address
5 activities that could undermine the purpose of this Article,
6 including spending that appears to target candidates receiving
7 money from the Fund but that does not fall within this
8 Article's reporting requirements.

9 (10 ILCS 5/9A-45 new)

10 Sec. 9A-45. Civil penalty. In addition to any other
11 penalties that may be applicable, any individual, political
12 committee, or other entity that violates any provision of this
13 Article is subject to a civil penalty of up to \$10,000 per
14 violation or 3 times the amount of any financial transactions
15 involved in the violation, whichever is greater. In addition to
16 any fine, for good cause shown, a candidate found in violation
17 of this Article may be required to return to the Fund all
18 amounts distributed to the candidate from the Fund. If the
19 Board makes a determination that a violation of this Article
20 has occurred, the Board shall calculate and assess the amount
21 of the civil penalty and shall notify the entity that is
22 assessed the civil penalty of the amount that has been
23 assessed. The Board shall then proceed as in the imposition of
24 any civil penalty. In determining whether or not a candidate is
25 in violation of this Article, the Board may consider as a

1 mitigating factor any circumstances out of the candidate's
2 control.

3 (10 ILCS 5/9A-50 new)

4 Sec. 9A-50. Contribution limits.

5 (a) No candidate shall accept, and no contributor shall
6 make to that candidate, a contribution in any election
7 exceeding \$1,000 except as otherwise provided in this Section.

8 (b) A candidate may accept, and a family contributor may
9 make to that candidate, a contribution not exceeding \$2,000 in
10 an election if the contributor is that candidate's parent,
11 child, brother, or sister.

12 (c) No candidate shall accept, and no contributor shall
13 make to that candidate, a contribution during the period
14 beginning 21 days before the day of the general election and
15 ending the day after the general election. This subsection
16 applies with respect to a candidate opposed in the general
17 election by a certified candidate who has not received the
18 maximum rescue funds available under Section 9A-35. The
19 recipient of a contribution that apparently violates this
20 subsection has 3 days to return the contribution or file a
21 detailed statement with the Board explaining why the
22 contribution does not violate this subsection.

23 (d) Nothing in this Section shall prohibit a candidate or
24 the spouse of that candidate from making a contribution or loan
25 secured entirely by that individual's assets to that

1 candidate's own campaign.

2 (e) Any individual, candidate, political committee, or
3 other entity that violates the provisions of this Section is
4 guilty of a Class 2 misdemeanor.

5 (10 ILCS 5/9A-55 new)

6 Sec. 9A-55. Attorneys-at-law contribution. The Supreme
7 Court may, in its discretion, require attorneys, licensed to
8 practice in Illinois, to make monetary contributions to the
9 Illinois Public Campaign Financing Fund not to exceed \$50
10 annually.

11 Section 10. The State Finance Act is amended by adding
12 Section 5.675 as follows:

13 (30 ILCS 105/5.675 new)

14 Sec. 5.675. Illinois Public Campaign Financing Fund.

15 Section 15. The Illinois Income Tax Act is amended by
16 changing Sections 509 and 510 and by adding Section 506.7 as
17 follows:

18 (35 ILCS 5/506.7 new)

19 Sec. 506.7. Designation of tax to the Illinois Public
20 Campaign Financing Fund. The Department shall print on its
21 standard individual income tax form a provision indicating that

1 if the taxpayer wishes to contribute to the Illinois Public
2 Campaign Financing Fund, as authorized by this amendatory Act
3 of the 94th General Assembly, he or she may do so by stating
4 the amount of the contribution (not less than \$3) on the return
5 and that the contribution will reduce the taxpayer's refund or
6 increase the amount of payment to accompany the return. Failure
7 to remit any amount of the increased payment shall reduce the
8 contribution accordingly. This Section does not apply to any
9 amended return. This tax checkoff applies to income tax forms
10 for taxable years 2008 and thereafter.

11 (35 ILCS 5/509) (from Ch. 120, par. 5-509)

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

1 Fund, the Korean War Veterans National Museum and Library Fund,
2 the Illinois Military Family Relief Fund, the Blindness
3 Prevention Fund, the Illinois Veterans' Homes Fund, the
4 Illinois Public Campaign Financing Fund, the Epilepsy
5 Treatment and Education Grants-in-Aid Fund, the Diabetes
6 Research Checkoff Fund, the Vince Demuzio Memorial Colon Cancer
7 Fund, the Autism Research Fund, the Heartsaver AED Fund, the
8 Asthma and Lung Research Fund, and the Illinois Brain Tumor
9 Research Fund.

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

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

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

1 8-3-06.)

2 (35 ILCS 5/510) (from Ch. 120, par. 5-510)

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

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

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