



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

**HB4948**

Introduced 1/15/2010, by Rep. Robert W. Pritchard

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2705/2705-317  
30 ILCS 105/5.756 new  
35 ILCS 5/507UU new

Amends the Department of Transportation Law of the Civil Administrative Code of Illinois. Provides that the Department of Transportation shall establish and administer a Safe Routes to School Non-Infrastructure Program to fund education, encouragement, evaluation, and enforcement strategies to help children enjoy healthy and safe walk, roll, and bike commutes to and from school. Creates the Childhood Obesity Fund. Provides that moneys in the Fund shall be used by the Department of Transportation to make grants to school districts, units of local government, and not-for-profit organizations. Amends the State Finance Act to make conforming changes. Amends the Illinois Income Tax Act. Creates a tax checkoff for the Childhood Obesity Fund. Effective immediately.

LRB096 17197 HLH 32537 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 Transportation Law of the  
5 Civil Administrative Code of Illinois is amended by changing  
6 Section 2705-317 as follows:

7 (20 ILCS 2705/2705-317)

8 Sec. 2705-317. Safe Routes to School Construction Program.

9 (a) Upon enactment of a federal transportation bill with a  
10 dedicated fund available to states for safe routes to schools,  
11 the Department, in cooperation with the State Board of  
12 Education and the Department of State Police, shall establish  
13 and administer a Safe Routes to School Construction Program for  
14 the construction of bicycle and pedestrian safety and  
15 traffic-calming projects using the federal Safe Routes to  
16 Schools Program funds.

17 (b) The Department shall make construction grants  
18 available to local governmental agencies under the Safe Routes  
19 to School Construction Program based on the results of a  
20 statewide competition that requires submission of Safe Routes  
21 to School proposals for funding and that rates those proposals  
22 on all of the following factors:

23 (1) Demonstrated needs of the grant applicant.

1           (2) Potential of the proposal for reducing child  
2 injuries and fatalities.

3           (3) Potential of the proposal for encouraging  
4 increased walking and bicycling among students.

5           (4) Identification of safety hazards.

6           (5) Identification of current and potential walking  
7 and bicycling routes to school.

8           (6) Consultation and support for projects by  
9 school-based associations, local traffic engineers, local  
10 elected officials, law enforcement agencies, and school  
11 officials.

12           (7) Proximity to parks and other recreational  
13 facilities.

14           With respect to the use of federal Safe Routes to Schools  
15 Program funds, prior to the award of a construction grant or  
16 the use of those funds for a Safe Routes to School project  
17 encompassing a highway, the Department shall consult with and  
18 obtain approval from the Department of State Police and the  
19 highway authority with jurisdiction to ensure that the Safe  
20 Routes to School proposal is consistent with a statewide  
21 pedestrian safety statistical analysis.

22           (c) On March 30, 2006 and each March 30th thereafter, the  
23 Department shall submit a report to the General Assembly  
24 listing and describing the projects funded under the Safe  
25 Routes to School Construction Program.

26           (d) The Department shall study the effectiveness of the

1 Safe Routes to School Construction Program, with particular  
2 emphasis on the Program's effectiveness in reducing traffic  
3 accidents and its contribution to improving safety and reducing  
4 the number of child injuries and fatalities in the vicinity of  
5 a Safe Routes to School project. The Department shall submit a  
6 report to the General Assembly on or before December 31, 2006  
7 regarding the results of the study.

8 (d-5) The Department shall also establish and administer a  
9 Safe Routes to School Non-Infrastructure Program to fund  
10 education, encouragement, evaluation, and enforcement  
11 strategies to help children enjoy healthy and safe walk, roll,  
12 and bike commutes to and from school. Moneys received for the  
13 purposes of this subsection (d-5), including, but not limited  
14 to, income tax checkoff receipts, gifts, grants, and awards  
15 from private foundations, nonprofit organizations,  
16 governmental entities, and persons, shall be deposited into the  
17 Childhood Obesity Fund, a special fund created in the State  
18 treasury. Subject to appropriation, the Department shall use  
19 moneys appropriated from the Childhood Obesity Fund, less  
20 administrative costs, to make appropriate grants to school  
21 districts, units of local government, and not-for-profit  
22 organizations. Grant cycles shall be no less frequent than once  
23 per year and shall be timed to ensure awards of grants no later  
24 than May 1 of each year.

25 (e) The Department, the State Board of Education, and the  
26 Department of State Police may adopt any rules necessary to

1 implement this Section.

2 (Source: P.A. 94-493, eff. 8-8-05.)

3 Section 10. The State Finance Act is amended by adding  
4 Section 5.756 as follows:

5 (30 ILCS 105/5.756 new)

6 Sec. 5.756. The Childhood Obesity Fund.

7 Section 15. The Illinois Income Tax Act is amended by  
8 adding Section 507UU as follows:

9 (35 ILCS 5/507UU new)

10 Sec. 507UU. Childhood Obesity Fund checkoff. For taxable  
11 years ending on or after December 31, 2010, the Department must  
12 print on its standard individual income tax form a provision  
13 indicating that if the taxpayer wishes to contribute to the  
14 Childhood Obesity Fund, as authorized by this amendatory Act of  
15 the 96th General Assembly, he or she may do so by stating the  
16 amount of the contribution (not less than \$1) on the return and  
17 indicating that the contribution will reduce the taxpayer's  
18 refund or increase the amount of payment to accompany the  
19 return. Failure to remit any amount of increased payment shall  
20 reduce the contribution accordingly. This Section does not  
21 apply to any amended return.

22 Section 99. Effective date. This Act takes effect upon

1 becoming law.