



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB3913

Introduced 2/26/2009, by Rep. Daniel J. Burke

SYNOPSIS AS INTRODUCED:

20 ILCS 1605/2	from Ch. 120, par. 1152
20 ILCS 1605/20	from Ch. 120, par. 1170
20 ILCS 1605/21.9 new	
30 ILCS 105/5.719 new	

Amends the Illinois Lottery Law. Requires the Department of Revenue to offer a special instant scratch-off game, named scratch-out multiple sclerosis, to commence on July 1, 2009. Provides that the net revenue from the scratch-off game shall be deposited into the Multiple Sclerosis Research Fund for appropriation to the Department of Public Health for grants to organizations in Illinois conducting research pertaining to the repair of damage caused by an acquired demyelinating disease of the central nervous system. Defines "research". Sets forth certain provisions for the operation of the scratch-off game. Imposes conditions on rulemaking authority. Amends the State Finance Act to create the Multiple Sclerosis Research Fund. Effective immediately.

LRB096 04557 RCE 14612 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Illinois Lottery Law is amended by changing
5 Sections 2 and 20 and by adding Section 21.9 as follows:

6 (20 ILCS 1605/2) (from Ch. 120, par. 1152)

7 Sec. 2. This Act is enacted to implement and establish
8 within the State a lottery to be operated by the State, the
9 entire net proceeds of which are to be used for the support of
10 the State's Common School Fund, except as provided in Sections
11 21.2, 21.5, 21.6, 21.7, ~~and~~ 21.8, and 21.9.

12 (Source: P.A. 94-120, eff. 7-6-05; 94-585, eff. 8-15-05;
13 95-331, eff. 8-21-07; 95-673, eff. 10-11-07; 95-674, eff.
14 10-11-07; 95-876, eff. 8-21-08.)

15 (20 ILCS 1605/20) (from Ch. 120, par. 1170)

16 Sec. 20. State Lottery Fund.

17 (a) There is created in the State Treasury a special fund
18 to be known as the "State Lottery Fund". Such fund shall
19 consist of all revenues received from (1) the sale of lottery
20 tickets or shares, (net of commissions, fees representing those
21 expenses that are directly proportionate to the sale of tickets
22 or shares at the agent location, and prizes of less than \$600

1 which have been validly paid at the agent level), (2)
2 application fees, and (3) all other sources including moneys
3 credited or transferred thereto from any other fund or source
4 pursuant to law. Interest earnings of the State Lottery Fund
5 shall be credited to the Common School Fund.

6 (b) The receipt and distribution of moneys under Section
7 21.5 of this Act shall be in accordance with Section 21.5.

8 (c) The receipt and distribution of moneys under Section
9 21.6 of this Act shall be in accordance with Section 21.6.

10 (d) The receipt and distribution of moneys under Section
11 21.7 of this Act shall be in accordance with Section 21.7.

12 (e) The receipt and distribution of moneys under Section
13 21.8 of this Act shall be in accordance with Section 21.8.

14 (f) The receipt and distribution of moneys under Section
15 21.9 of this Act shall be in accordance with Section 21.9.

16 (Source: P.A. 94-120, eff. 7-6-05; 94-585, eff. 8-15-05;
17 95-331, eff. 8-21-07; 95-673, eff. 10-11-07; 95-674, eff.
18 10-11-07; 95-876, eff. 8-21-08.)

19 (20 ILCS 1605/21.9 new)

20 Sec. 21.9. Scratch-out Multiple Sclerosis scratch-off
21 game.

22 (a) The Department shall offer a special instant
23 scratch-off game for the benefit of research pertaining to
24 multiple sclerosis. The game shall commence on July 1, 2009 or
25 as soon thereafter, in the discretion of the Director, as is

1 reasonably practical. The operation of the game shall be
2 governed by this Act and any rules adopted by the Department.
3 If any provision of this Section is inconsistent with any other
4 provision of this Act, then this Section governs.

5 (b) The Multiple Sclerosis Research Fund is created as a
6 special fund in the State treasury. The net revenue from the
7 scratch-out multiple sclerosis scratch-off game created under
8 this Section shall be deposited into the Fund for appropriation
9 by the General Assembly to the Department of Public Health for
10 the purpose of making grants to organizations in Illinois that
11 conduct research pertaining to the repair of damage caused by
12 an acquired demyelinating disease of the central nervous
13 system.

14 Moneys received for the purposes of this Section,
15 including, without limitation, net revenue from the special
16 instant scratch-off game and from gifts, grants, and awards
17 from any public or private entity, must be deposited into the
18 Fund. Any interest earned on moneys in the Fund must be
19 deposited into the Fund.

20 For purposes of this Section, the term "research" includes,
21 without limitation, expenditures to develop and advance the
22 understanding, techniques, and modalities effective for
23 maintaining function, mobility, and strength through
24 preventive physical therapy or other treatments and to develop
25 and advance the repair of myelin, neuron, and axon damage
26 caused by an acquired demyelinating disease of the central

1 nervous system and the restoration of function, including but
2 not limited to, nervous system repair or neuroregeneration. The
3 grant funds may not be used for institutional, organizational,
4 or community-based overhead costs, indirect costs, or levies.
5 For purposes of this subsection, "net revenue" means the total
6 amount for which tickets have been sold less the sum of the
7 amount paid out in the prizes and the actual administrative
8 expenses of the Department solely related to the scratch-off
9 game under this Section.

10 (c) During the time that tickets are sold for the
11 scratch-out multiple sclerosis scratch-off game, the
12 Department shall not unreasonably diminish the efforts devoted
13 to marketing any other instant scratch-off lottery game.

14 (d) The Department may adopt any rules necessary to
15 implement and administer the provisions of this Section.
16 Rulemaking authority to implement this amendatory Act of the
17 96th General Assembly, however, is conditioned on the rules
18 being adopted in accordance with all provisions of the Illinois
19 Administrative Procedure Act and all rules and procedures of
20 the Joint Committee on Administrative Rules; any purported rule
21 not so adopted, for whatever reason, is unauthorized.

22 Section 10. The State Finance Act is amended by adding
23 Section 5.719 as follows:

24 (30 ILCS 105/5.719 new)

1 Sec. 5.719. The Multiple Sclerosis Research Fund.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.