

1 AN ACT concerning taxes.

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

4 Section 5. The Illinois Emergency Management Agency Act
5 is amended by changing Section 5 as follows:

6 (20 ILCS 3305/5) (from Ch. 127, par. 1055)

7 Sec. 5. Illinois Emergency Management Agency.

8 (a) There is created within the executive branch of the
9 State Government an Illinois Emergency Management Agency and
10 a Director of the Illinois Emergency Management Agency,
11 herein called the "Director" who shall be the head thereof.
12 The Director shall be appointed by the Governor, with the
13 advice and consent of the Senate, and shall serve for a term
14 of 2 years beginning on the third Monday in January of the
15 odd-numbered year, and until a successor is appointed and has
16 qualified; except that the term of the first Director
17 appointed under this Act shall expire on the third Monday in
18 January, 1989. The Director shall not hold any other
19 remunerative public office. The Director shall receive an
20 annual salary as set by the Governor from time to time or the
21 amount set by the Compensation Review Board, whichever is
22 higher. If set by the Governor, the Director's annual salary
23 may not exceed 85% of the Governor's annual salary.

24 (b) The Illinois Emergency Management Agency shall
25 obtain, under the provisions of the Personnel Code,
26 technical, clerical, stenographic and other administrative
27 personnel, and may make expenditures within the appropriation
28 therefor as may be necessary to carry out the purpose of this
29 Act. The agency created by this Act is intended to be a
30 successor to the agency created under the Illinois Emergency
31 Services and Disaster Agency Act of 1975 and the personnel,

1 equipment, records, and appropriations of that agency are
2 transferred to the successor agency as of the effective date
3 of this Act.

4 (c) The Director, subject to the direction and control
5 of the Governor, shall be the executive head of the Illinois
6 Emergency Management Agency and the State Emergency Response
7 Commission and shall be responsible under the direction of
8 the Governor, for carrying out the program for emergency
9 management of this State. The Director shall also maintain
10 liaison and cooperate with the emergency management
11 organizations of this State and other states and of the
12 federal government.

13 (d) The Illinois Emergency Management Agency shall take
14 an integral part in the development and revision of political
15 subdivision emergency operations plans prepared under
16 paragraph (f) of Section 10. To this end it shall employ or
17 otherwise secure the services of professional and technical
18 personnel capable of providing expert assistance to the
19 emergency services and disaster agencies. These personnel
20 shall consult with emergency services and disaster agencies
21 on a regular basis and shall make field examinations of the
22 areas, circumstances, and conditions that particular
23 political subdivision emergency operations plans are intended
24 to apply.

25 (e) The Illinois Emergency Management Agency and
26 political subdivisions shall be encouraged to form an
27 emergency management advisory committee composed of private
28 and public personnel representing the emergency management
29 phases of mitigation, preparedness, response, and recovery.
30 The Local Emergency Planning Committee, as created under the
31 Illinois Emergency Planning and Community Right to Know Act,
32 shall serve as an advisory committee to the emergency
33 services and disaster agency or agencies serving within the
34 boundaries of that Local Emergency Planning Committee

1 planning district for:

2 (1) the development of emergency operations plan
3 provisions for hazardous chemical emergencies; and

4 (2) the assessment of emergency response
5 capabilities related to hazardous chemical emergencies.

6 (f) The Illinois Emergency Management Agency shall:

7 (1) Coordinate the overall emergency management
8 program of the State.

9 (2) Cooperate with local governments, the federal
10 government and any public or private agency or entity in
11 achieving any purpose of this Act and in implementing
12 emergency management programs for mitigation,
13 preparedness, response, and recovery.

14 (2.5) Cooperate with the Department of Nuclear
15 Safety in development of the comprehensive emergency
16 preparedness and response plan for any nuclear accident
17 in accordance with Section 2005-65 of the Department of
18 Nuclear Safety Law of the Civil Administrative Code of
19 Illinois and in development of the Illinois Nuclear
20 Safety Preparedness program in accordance with Section 8
21 of the Illinois Nuclear Safety Preparedness Act.

22 (3) Prepare, for issuance by the Governor,
23 executive orders, proclamations, and regulations as
24 necessary or appropriate in coping with disasters.

25 (4) Promulgate rules and requirements for political
26 subdivision emergency operations plans that are not
27 inconsistent with and are at least as stringent as
28 applicable federal laws and regulations.

29 (5) Review and approve, in accordance with Illinois
30 Emergency Management Agency rules, emergency operations
31 plans for those political subdivisions required to have
32 an emergency services and disaster agency pursuant to
33 this Act.

34 (5.5) Promulgate rules and requirements for the

1 political subdivision emergency management exercises,
2 including, but not limited to, exercises of the emergency
3 operations plans.

4 (5.10) Review, evaluate, and approve, in accordance
5 with Illinois Emergency Management Agency rules,
6 political subdivision emergency management exercises for
7 those political subdivisions required to have an
8 emergency services and disaster agency pursuant to this
9 Act.

10 (6) Determine requirements of the State and its
11 political subdivisions for food, clothing, and other
12 necessities in event of a disaster.

13 (7) Establish a register of persons with types of
14 emergency management training and skills in mitigation,
15 preparedness, response, and recovery.

16 (8) Establish a register of government and private
17 response resources available for use in a disaster.

18 (9) Expand the Earthquake Awareness Program and its
19 efforts to distribute earthquake preparedness materials
20 to schools, political subdivisions, community groups,
21 civic organizations, and the media. Emphasis will be
22 placed on those areas of the State most at risk from an
23 earthquake. Maintain the list of all school districts,
24 hospitals, airports, power plants, including nuclear
25 power plants, lakes, dams, emergency response facilities
26 of all types, and all other major public or private
27 structures which are at the greatest risk of damage from
28 earthquakes under circumstances where the damage would
29 cause subsequent harm to the surrounding communities and
30 residents.

31 (10) Disseminate all information, completely and
32 without delay, on water levels for rivers and streams and
33 any other data pertaining to potential flooding supplied
34 by the Division of Water Resources within the Department

1 of Natural Resources to all political subdivisions to the
2 maximum extent possible.

3 (11) Develop agreements, if feasible, with medical
4 supply and equipment firms to supply resources as are
5 necessary to respond to an earthquake or any other
6 disaster as defined in this Act. These resources will be
7 made available upon notifying the vendor of the disaster.
8 Payment for the resources will be in accordance with
9 Section 7 of this Act. The Illinois Department of Public
10 Health shall determine which resources will be required
11 and requested.

12 (11.5) Make grants from the Anti-Terrorism Fund to
13 State and local entities for paying or reimbursing costs
14 incurred by those entities for overtime salaries of
15 emergency and security personnel related to
16 anti-terrorism and for associated anti-terrorism
17 expenses.

18 (12) Do all other things necessary, incidental or
19 appropriate for the implementation of this Act.

20 (Source: P.A. 91-25, eff. 6-9-99; 92-73, eff. 1-1-02.)

21 Section 10. The Illinois Income Tax Act is amended by
22 changing Sections 509 and 510 and by adding Section 507X as
23 follows:

24 (35 ILCS 5/507X new)

25 Sec. 507X. Anti-Terrorism Fund checkoff. Beginning with
26 taxable years ending on or after December 31, 2002, the
27 Department shall print on its standard individual income tax
28 form a provision indicating that if the taxpayer wishes to
29 contribute to the Anti-Terrorism Fund, as authorized by this
30 amendatory Act of the 92nd General Assembly, he or she may do
31 so by stating the amount of the contribution (not less than
32 \$1) on the return and that the contribution will reduce the

1 taxpayer's refund or increase the amount of payment to
2 accompany the return. Failure to remit any amount of
3 increased payment shall reduce the contribution accordingly.
4 This Section shall not apply to any amended return.

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

6 (Text of Section before amendment by P.A. 92-84)

7 Sec. 509. Tax checkoff explanations. All individual
8 income tax return forms shall contain appropriate
9 explanations and spaces to enable the taxpayers to designate
10 contributions to the Child Abuse Prevention Fund, to the
11 Community Health Center Care Fund, to the Illinois Wildlife
12 Preservation Fund as required by the Illinois Non-Game
13 Wildlife Protection Act, to the Alzheimer's Disease Research
14 Fund as required by the Alzheimer's Disease Research Act, to
15 the Assistance to the Homeless Fund as required by this Act,
16 to the Heritage Preservation Fund as required by the Heritage
17 Preservation Act, to the Child Care Expansion Program Fund as
18 required by the Child Care Expansion Program Act, to the Ryan
19 White AIDS Victims Assistance Fund, to the Assistive
20 Technology for Persons with Disabilities Fund, to the
21 Domestic Violence Shelter and Service Fund, to the United
22 States Olympians Assistance Fund, to the Youth Drug Abuse
23 Prevention Fund, to the Persian Gulf Conflict Veterans Fund,
24 to the Literacy Advancement Fund, to the Ryan White Pediatric
25 and Adult AIDS Fund, to the Illinois Special Olympics
26 Checkoff Fund, to the Penny Severns Breast and Cervical
27 Cancer Research Fund, to the Korean War Memorial Fund, to the
28 Heart Disease Treatment and Prevention Fund, to the
29 Hemophilia Treatment Fund, to the Mental Health Research
30 Fund, to the Children's Cancer Fund, to the American Diabetes
31 Association Fund, to the National World War II Memorial Fund,
32 to the Prostate Cancer Research Fund, to the Korean War
33 Veterans National Museum and Library Fund, to the

1 Anti-Terrorism Fund, and to the Meals on Wheels Fund. Each
2 form shall contain a statement that the contributions will
3 reduce the taxpayer's refund or increase the amount of
4 payment to accompany the return. Failure to remit any amount
5 of increased payment shall reduce the contribution
6 accordingly.

7 If, on October 1 of any year, the total contributions to
8 any one of the funds made under this Section do not equal
9 \$100,000 or more, the explanations and spaces for designating
10 contributions to the fund shall be removed from the
11 individual income tax return forms for the following and all
12 subsequent years and all subsequent contributions to the fund
13 shall be refunded to the taxpayer.

14 (Source: P.A. 91-104, eff. 7-13-99; 91-107, eff. 7-13-99;
15 91-357, eff. 7-29-99; 91-833, eff. 1-1-01; 91-836, eff.
16 1-1-01; 92-198, eff. 8-1-01.)

17 (Text of Section after amendment by P.A. 92-84)

18 Sec. 509. Tax checkoff explanations. All individual
19 income tax return forms shall contain appropriate
20 explanations and spaces to enable the taxpayers to designate
21 contributions to the Child Abuse Prevention Fund, to the
22 Illinois Wildlife Preservation Fund as required by the
23 Illinois Non-Game Wildlife Protection Act, to the Alzheimer's
24 Disease Research Fund as required by the Alzheimer's Disease
25 Research Act, to the Assistance to the Homeless Fund as
26 required by this Act, to the Penny Severns Breast and
27 Cervical Cancer Research Fund, to the National World War II
28 Memorial Fund, and to the Prostate Cancer Research Fund, to
29 the Anti-Terrorism Fund, and to the Korean War Veterans
30 National Museum and Library Fund⁷. Each form shall contain a
31 statement that the contributions will reduce the taxpayer's
32 refund or increase the amount of payment to accompany the
33 return. Failure to remit any amount of increased payment
34 shall reduce the contribution accordingly.

1 If, on October 1 of any year, the total contributions to
2 any one of the funds made under this Section do not equal
3 \$100,000 or more, the explanations and spaces for designating
4 contributions to the fund shall be removed from the
5 individual income tax return forms for the following and all
6 subsequent years and all subsequent contributions to the fund
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9 91-357, eff. 7-29-99; 91-833, eff. 1-1-01; 91-836, eff.
10 1-1-01; 92-84, eff. 7-1-02; 92-198, eff. 8-1-01; revised
11 9-12-01.)

12 (35 ILCS 5/510) (from Ch. 120, par. 5-510)

13 (Text of Section before amendment by P.A. 92-84)

14 Sec. 510. Determination of amounts contributed. The
15 Department shall determine the total amount contributed to
16 each of the following: the Child Abuse Prevention Fund, the
17 Illinois Wildlife Preservation Fund, the Community Health
18 Center Care Fund, the Assistance to the Homeless Fund, the
19 Alzheimer's Disease Research Fund, the Heritage Preservation
20 Fund, the Child Care Expansion Program Fund, the Ryan White
21 AIDS Victims Assistance Fund, the Assistive Technology for
22 Persons with Disabilities Fund, the Domestic Violence Shelter
23 and Service Fund, the United States Olympians Assistance
24 Fund, the Youth Drug Abuse Prevention Fund, the Persian Gulf
25 Conflict Veterans Fund, the Literacy Advancement Fund, the
26 Ryan White Pediatric and Adult AIDS Fund, the Illinois
27 Special Olympics Checkoff Fund, the Penny Severns Breast and
28 Cervical Cancer Research Fund, the Korean War Memorial Fund,
29 the Heart Disease Treatment and Prevention Fund, the
30 Hemophilia Treatment Fund, the Mental Health Research Fund,
31 the Children's Cancer Fund, the American Diabetes
32 Association Fund, the National World War II Memorial Fund,
33 the Prostate Cancer Research Fund, the Korean War Veterans

1 National Museum and Library Fund, the Anti-Terrorism Fund,
 2 and the Meals on Wheels Fund; and shall notify the State
 3 Comptroller and the State Treasurer of the amounts to be
 4 transferred from the General Revenue Fund to each fund, and
 5 upon receipt of such notification the State Treasurer and
 6 Comptroller shall transfer the amounts.

7 (Source: P.A. 91-104, eff. 7-13-99; 91-107, eff. 7-13-99;
 8 91-833, eff. 1-1-01; 91-836, eff. 1-1-01; 92-198, eff.
 9 8-1-01.)

10 (Text of Section after amendment by P.A. 92-84)

11 Sec. 510. Determination of amounts contributed. The
 12 Department shall determine the total amount contributed to
 13 each of the following: the Child Abuse Prevention Fund, the
 14 Illinois Wildlife Preservation Fund, the Assistance to the
 15 Homeless Fund, the Alzheimer's Disease Research Fund, the
 16 Penny Severns Breast and Cervical Cancer Research Fund, the
 17 National World War II Memorial Fund, and the Prostate Cancer
 18 Research Fund, the Anti-Terrorism Fund, and the Korean War
 19 Veterans National Museum and Library Fund; and shall notify
 20 the State Comptroller and the State Treasurer of the amounts
 21 to be transferred from the General Revenue Fund to each fund,
 22 and upon receipt of such notification the State Treasurer and
 23 Comptroller shall transfer the amounts.

24 (Source: P.A. 91-104, eff. 7-13-99; 91-107, eff. 7-13-99;
 25 91-833, eff. 1-1-01; 91-836, eff. 1-1-01; 92-84, eff. 7-1-02;
 26 92-198, eff. 8-1-01; revised 9-12-01.)

27 Section 15. The State Finance Act is amended by adding
 28 Section 5.570 as follows:

29 (30 ILCS 105/5.570 new)

30 Sec. 5.570. The Anti-Terrorism Fund.

1 Section 95. No acceleration or delay. Where this Act
2 makes changes in a statute that is represented in this Act by
3 text that is not yet or no longer in effect (for example, a
4 Section represented by multiple versions), the use of that
5 text does not accelerate or delay the taking effect of (i)
6 the changes made by this Act or (ii) provisions derived from
7 any other Public Act.

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