



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB3469

Introduced 2/23/2005, by Rep. Wyvetter H. Younge

SYNOPSIS AS INTRODUCED:

20 ILCS 2805/2h new
30 ILCS 105/5.640 new
35 ILCS 5/507EE new
35 ILCS 5/509 from Ch. 120, par. 5-509
35 ILCS 5/510 from Ch. 120, par. 5-510

Amends the Department of Veterans Affairs Act and the State Finance Act. Creates the O'Fallon Veterans' Memorial Fund as a special fund in the State Treasury. Provides that, from appropriations from the Fund, the Department of Veterans Affairs must make grants to the City of O'Fallon for the purpose of constructing a veterans' memorial. Amends the Illinois Income Tax Act to create a tax checkoff for the Fund. Effective immediately.

LRB094 11214 BDD 41926 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning veterans.

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

4 Section 5. The Department of Veterans Affairs Act is
5 amended by adding Section 2h as follows:

6 (20 ILCS 2805/2h new)

7 Sec. 2h. The O'Fallon Veterans' Memorial Fund; grants. The
8 O'Fallon Veterans' Memorial Fund is created as a special fund
9 in the State Treasury. From appropriations from the Fund, the
10 Department must make grants to the City of O'Fallon for the
11 purpose of constructing a veterans' memorial.

12 Moneys received for the purposes of this Section,
13 including, without limitation, income tax checkoff receipts
14 and gifts, grants, and awards from any public or private
15 entity, must be deposited into the Fund. Any interest earned on
16 moneys in the Fund must be deposited into the Fund.

17 Section 10. The State Finance Act is amended by adding
18 Section 5.640 as follows:

19 (30 ILCS 105/5.640 new)

20 Sec. 5.640. The O'Fallon Veterans' Memorial Fund.

21 Section 15. The Illinois Income Tax Act is amended by
22 changing Sections 509 and 510 and by adding Section 507EE as
23 follows:

24 (35 ILCS 5/507EE new)

25 Sec. 507EE. The O'Fallon Veterans' Memorial checkoff. For
26 taxable years ending on or after December 31, 2005, the
27 Department must print on its standard individual income tax
28 form a provision indicating that if the taxpayer wishes to

1 contribute to the O'Fallon Veterans' Memorial Fund, as
2 authorized by this amendatory Act of the 94th General Assembly,
3 he or she may do so by stating the amount of the contribution
4 (not less than \$1) on the return and that the contribution will
5 reduce the taxpayer's refund or increase the amount of payment
6 to accompany the return. Failure to remit any amount of
7 increased payment shall reduce the contribution accordingly.
8 This Section does not apply to any amended return.

9 (35 ILCS 5/509) (from Ch. 120, par. 5-509)

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

28 Each form shall contain a statement that the contributions
29 will reduce the taxpayer's refund or increase the amount of
30 payment to accompany the return. Failure to remit any amount of
31 increased payment shall reduce the contribution accordingly.

32 If, on October 1 of any year, the total contributions to
33 any one of the funds made under this Section do not equal
34 \$100,000 or more, the explanations and spaces for designating
35 contributions to the fund shall be removed from the individual

1 income tax return forms for the following and all subsequent
2 years and all subsequent contributions to the fund shall be
3 refunded to the taxpayer.

4 (Source: P.A. 92-84, eff. 7-1-02; 92-198, eff. 8-1-01; 92-651,
5 eff. 7-11-02; 92-772, eff. 8-6-02; 92-886, eff. 2-7-03; 93-36,
6 eff. 6-24-03; 93-131, eff. 7-10-03; 93-292, eff. 7-22-03;
7 93-324, eff. 7-23-03; 93-776, eff. 7-21-04.)

8 (35 ILCS 5/510) (from Ch. 120, par. 5-510)

9 Sec. 510. Determination of amounts contributed. The
10 Department shall determine the total amount contributed to each
11 of the following: the Child Abuse Prevention Fund, the Illinois
12 Wildlife Preservation Fund, the Assistance to the Homeless
13 Fund, the Alzheimer's Disease Research Fund, the Penny Severns
14 Breast and Cervical Cancer Research Fund, the National World
15 War II Memorial Fund, the Prostate Cancer Research Fund, the
16 Illinois Military Family Relief Fund, the Lou Gehrig's Disease
17 (ALS) Research Fund, the Multiple Sclerosis Assistance Fund,
18 the Leukemia Treatment and Education Fund, the World War II
19 Illinois Veterans Memorial Fund, the Korean War Veterans
20 National Museum and Library Fund, the Illinois Veterans' Homes
21 Fund, the O'Fallon Veterans' Memorial Fund, and the Asthma and
22 Lung Research Fund; and shall notify the State Comptroller and
23 the State Treasurer of the amounts to be transferred from the
24 General Revenue Fund to each fund, and upon receipt of such
25 notification the State Treasurer and Comptroller shall
26 transfer the amounts.

27 (Source: P.A. 92-84, eff. 7-1-02; 92-198, eff. 8-1-01; 92-651,
28 eff. 7-11-02; 92-772, eff. 8-6-02; 92-886, eff. 2-7-03; 93-36,
29 eff. 6-24-03; 93-131, eff. 7-10-03; 93-292, eff. 7-22-03;
30 93-324, eff. 7-23-03; 93-776, eff. 7-21-04.)

31 Section 99. Effective date. This Act takes effect upon
32 becoming law.