



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4860

Introduced 01/19/06, by Rep. Harry Osterman

SYNOPSIS AS INTRODUCED:

35 ILCS 5/507MM new

35 ILCS 5/509

35 ILCS 5/510

410 ILCS 45/7.2

from Ch. 120, par. 5-509

from Ch. 120, par. 5-510

from Ch. 111 1/2, par. 1307.2

Amends the Illinois Income Tax Act and the Lead Poisoning Prevention Act to create a tax checkoff for the Lead Poisoning Screening, Prevention, and Abatement Fund. Effective immediately.

LRB094 17019 BDD 52300 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning public health.

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

4 Section 5. The Illinois Income Tax Act is amended by
5 changing Sections 509 and 510 and by adding Section 507MM as
6 follows:

7 (35 ILCS 5/507MM new)

8 Sec. 507MM. The Lead Poisoning Screening, Prevention, and
9 Abatement Fund checkoff. For taxable years ending on or after
10 December 31, 2006, the Department must print on its standard
11 individual income tax form a provision indicating that if the
12 taxpayer wishes to contribute to the Lead Poisoning Screening,
13 Prevention, and Abatement Fund, as authorized by this
14 amendatory Act of the 94th General Assembly, he or she may do
15 so by stating the amount of the contribution (not less than \$1)
16 on the return and that the contribution will reduce the
17 taxpayer's refund or increase the amount of payment to
18 accompany the return. Failure to remit any amount of increased
19 payment shall reduce the contribution accordingly. This
20 Section does not apply to any amended return.

21 (35 ILCS 5/509) (from Ch. 120, par. 5-509)

22 Sec. 509. Tax checkoff explanations. All individual income
23 tax return forms shall contain appropriate explanations and
24 spaces to enable the taxpayers to designate contributions to
25 the following funds: the Child Abuse Prevention Fund, the
26 Illinois Wildlife Preservation Fund (as required by the
27 Illinois Non-Game Wildlife Protection Act), the Alzheimer's
28 Disease Research Fund (as required by the Alzheimer's Disease
29 Research Act), the Assistance to the Homeless Fund (as required
30 by this Act), the Penny Severns Breast and Cervical Cancer
31 Research Fund, the National World War II Memorial Fund, the

1 Prostate Cancer Research Fund, the Lou Gehrig's Disease (ALS)
2 Research Fund, the Multiple Sclerosis Assistance Fund, the
3 Sarcoidosis Research Fund, the Leukemia Treatment and
4 Education Fund, the World War II Illinois Veterans Memorial
5 Fund, the Korean War Veterans National Museum and Library Fund,
6 the Illinois Military Family Relief Fund, the Blindness
7 Prevention Fund, the Illinois Veterans' Homes Fund, the
8 Epilepsy Treatment and Education Grants-in-Aid Fund, the
9 Diabetes Research Checkoff Fund, the Vince Demuzio Memorial
10 Colon Cancer Fund, the Autism Research Fund, the Asthma and
11 Lung Research Fund, the Lead Poisoning Screening, Prevention,
12 and Abatement Fund, and the Illinois Brain Tumor Research Fund.

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

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

24 (Source: P.A. 93-36, eff. 6-24-03; 93-131, eff. 7-10-03;
25 93-292, eff. 7-22-03; 93-324, eff. 7-23-03; 93-776, eff.
26 7-21-04; 94-73, eff. 6-23-05; 94-107, eff. 7-1-05; 94-141, eff.
27 1-1-06; 94-142, eff. 1-1-06; 94-442, eff. 8-4-05; 94-602, eff.
28 8-16-05; 94-649, eff. 8-22-05; revised 8-29-05.)

29 (35 ILCS 5/510) (from Ch. 120, par. 5-510)

30 Sec. 510. Determination of amounts contributed. The
31 Department shall determine the total amount contributed to each
32 of the following: the Child Abuse Prevention Fund, the Illinois
33 Wildlife Preservation Fund, the Assistance to the Homeless
34 Fund, the Alzheimer's Disease Research Fund, the Penny Severns
35 Breast and Cervical Cancer Research Fund, the National World

1 War II Memorial Fund, the Prostate Cancer Research Fund, the
2 Illinois Military Family Relief Fund, the Lou Gehrig's Disease
3 (ALS) Research Fund, the Multiple Sclerosis Assistance Fund,
4 the Sarcoidosis Research Fund, the Leukemia Treatment and
5 Education Fund, the World War II Illinois Veterans Memorial
6 Fund, the Korean War Veterans National Museum and Library Fund,
7 the Illinois Veterans' Homes Fund, the Epilepsy Treatment and
8 Education Grants-in-Aid Fund, the Diabetes Research Checkoff
9 Fund, the Vince Demuzio Memorial Colon Cancer Fund, the Autism
10 Research Fund, the Blindness Prevention Fund, the Asthma and
11 Lung Research Fund, the Lead Poisoning Screening, Prevention,
12 and Abatement Fund, and the Illinois Brain Tumor Research Fund;
13 and shall notify the State Comptroller and the State Treasurer
14 of the amounts to be transferred from the General Revenue Fund
15 to each fund, and upon receipt of such notification the State
16 Treasurer and Comptroller shall transfer the amounts.

17 (Source: P.A. 93-36, eff. 6-24-03; 93-131, eff. 7-10-03;
18 93-292, eff. 7-22-03; 93-324, eff. 7-23-03; 93-776, eff.
19 7-21-04; 94-73, eff. 6-23-05; 94-107, eff. 7-1-05; 94-141, eff.
20 1-1-06; 94-142, eff. 1-1-06; 94-442, eff. 8-4-05; 94-602, eff.
21 8-16-05; 94-649, eff. 8-22-05; revised 8-29-05.)

22 Section 10. The Lead Poisoning Prevention Act is amended by
23 changing Section 7.2 as follows:

24 (410 ILCS 45/7.2) (from Ch. 111 1/2, par. 1307.2)

25 Sec. 7.2. Laboratory fees for blood lead screening; Lead
26 Poisoning Fund.

27 (a) The Department may establish fees according to a
28 reasonable fee structure to cover the cost of providing a
29 testing service for laboratory analysis of blood lead tests and
30 any necessary follow-up. Fees collected from the Department's
31 testing service shall be placed in a special fund in the State
32 treasury known as the Lead Poisoning Screening, Prevention, and
33 Abatement Fund. Other State and federal funds for expenses
34 related to lead poisoning screening, follow-up, treatment, and

1 abatement programs may also be placed in the Fund. Income tax
2 checkoff receipts under Section 507MM of the Illinois Income
3 Tax Act must be deposited into the Fund. Moneys shall be
4 appropriated from the Fund to the Department of Public Health
5 solely for the purposes of providing lead screening, follow-up,
6 and treatment programs.

7 (b) Any delegate agency may establish fees, according to a
8 reasonable fee structure, to cover the costs of drawing blood
9 for blood lead screening and any necessary follow-up.

10 (Source: P.A. 87-175.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.