



Rep. Barbara Flynn Currie

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LRB096 03641 HLH 23757 a

1 AMENDMENT TO HOUSE BILL 1196

2 AMENDMENT NO. _____. Amend House Bill 1196, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The State Finance Act is amended by adding
6 Sections 5.719 and 6z-76 as follows:

7 (30 ILCS 105/5.719 new)

8 Sec. 5.719. The Healthcare Provider Relief Fund.

9 (30 ILCS 105/6z-76 new)

10 Sec. 6z-76. The Healthcare Provider Relief Fund. The
11 Healthcare Provider Relief Fund is created as a special fund in
12 the State treasury. Moneys in the Fund may be used, subject to
13 appropriation, by the Department of Healthcare and Family
14 Services only for the purpose of making reimbursements to
15 providers of goods or services under the medical assistance

1 program under Article V of the Illinois Public Aid Code, the
2 Children's Health Insurance Program Act, the Covering All Kids
3 Health Insurance Act, and the pharmaceutical assistance
4 program under the Senior Citizens and Disabled Persons Property
5 Tax Relief and Pharmaceutical Assistance Act. The Department
6 shall make all such reimbursements from the Fund in the order
7 that claims for those reimbursements were received by the
8 Department.

9 Any interest earnings that are attributable to moneys in
10 the Fund must be deposited into the Fund.

11 The Healthcare Provider Relief Fund is not subject to
12 administrative charges or charge-backs, including, but not
13 limited to, those authorized under Section 8h of the State
14 Finance Act.

15 Section 10. The Tobacco Products Tax Act of 1995 is amended
16 by changing Section 10-10 as follows:

17 (35 ILCS 143/10-10)

18 Sec. 10-10. Tax imposed. On the first day of the third
19 month after the month in which this Act becomes law and through
20 August 31, 2009, a tax is imposed on any person engaged in
21 business as a distributor of tobacco products, as defined in
22 Section 10-5, at the rate of 18% of the wholesale price of
23 tobacco products sold or otherwise disposed of to retailers or
24 consumers located in this State. Beginning on September 1,

1 2009, the tax shall be imposed at the rate of 40% of the
2 wholesale price of tobacco products sold or otherwise disposed
3 of to retailers or consumers located in this State. The tax is
4 in addition to all other occupation or privilege taxes imposed
5 by the State of Illinois, by any political subdivision thereof,
6 or by any municipal corporation. However, the tax is not
7 imposed upon any activity in that business in interstate
8 commerce or otherwise, to the extent to which that activity may
9 not, under the Constitution and Statutes of the United States,
10 be made the subject of taxation by this State. The tax is also
11 not imposed on sales made to the United States or any entity
12 thereof.

13 For returns due before October 15, 2009, all ~~All~~ moneys
14 received by the Department under this Act shall be paid into
15 the Long-Term Care Provider Fund of the State Treasury. For
16 returns due on or after October 15, 2009, 78.92% of the moneys
17 received by the Department under this Act shall be paid into
18 the Long-Term Care Provider Fund; 10.54% of the moneys received
19 by the Department under this Act shall be paid into the
20 Healthcare Provider Relief Fund; and 10.54% of the moneys
21 received under this Act shall be remitted to the Illinois
22 Department of Public Health for support of tobacco prevention,
23 cessation, and control programs in accordance with the Centers
24 for Disease Control and Prevention's 2007 Best Practices for
25 Comprehensive Tobacco Control Programs.

26 (Source: P.A. 92-231, eff. 8-2-01.)

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