

AN ACT concerning State government.

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

Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by adding Section 2310-635 as follows:

(20 ILCS 2310/2310-635 new)

Sec. 2310-635. Healthy Smiles Fund; grants. Subject to appropriation, the Department of Public Health has the power to make grants or use moneys in the Healthy Smiles Fund, a special fund created in the State treasury, to secure federal matching grants to provide for quality assurance program evaluation activities for school-based, school-linked oral health programs operating under the auspices of either the Department of Public Health or the Department of Healthcare and Family Services. The Department shall accept and deposit with the State Treasurer all gifts, grants, transfers, appropriations, and other amounts from any legal source, public or private, that are designated for deposit into the Fund.

Section 10. The State Finance Act is amended by adding Section 5.675 as follows:

(30 ILCS 105/5.675 new)

Sec. 5.675. Healthy Smiles Fund.

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

(35 ILCS 5/507PP new)

Sec. 507PP. The Healthy Smiles Fund checkoff. For taxable years ending on or after December 31, 2008, the Department must print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Healthy Smiles Fund, as authorized by this amendatory Act of the 95th General Assembly, he or she may do so by stating the amount of the contribution (not less than \$1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section does not apply to any amended return.

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

Sec. 509. Tax checkoff explanations. All individual income tax return forms shall contain appropriate explanations and spaces to enable the taxpayers to designate contributions to the following funds: the Child Abuse Prevention Fund, the

Illinois Wildlife Preservation Fund (as required by the Illinois Non-Game Wildlife Protection Act), the Alzheimer's Disease Research Fund (as required by the Alzheimer's Disease Research Act), the Assistance to the Homeless Fund (as required by this Act), the Penny Severns Breast and Cervical Cancer Research Fund, the National World War II Memorial Fund, the Prostate Cancer Research Fund, the Lou Gehrig's Disease (ALS) Research Fund, the Multiple Sclerosis Assistance Fund, the Sarcoidosis Research Fund, the Leukemia Treatment and Education Fund, the World War II Illinois Veterans Memorial Fund, the Korean War Veterans National Museum and Library Fund, the Illinois Military Family Relief Fund, the Blindness Prevention Fund, the Illinois Veterans' Homes Fund, the Epilepsy Treatment and Education Grants-in-Aid Fund, the Diabetes Research Checkoff Fund, the Vince Demuzio Memorial Colon Cancer Fund, the Autism Research Fund, the Heartsaver AED Fund, the Asthma and Lung Research Fund, the Healthy Smiles Fund, and the Illinois Brain Tumor Research Fund.

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

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

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

(Source: P.A. 93-36, eff. 6-24-03; 93-131, eff. 7-10-03; 93-292, eff. 7-22-03; 93-324, eff. 7-23-03; 93-776, eff. 7-21-04; 94-73, eff. 6-23-05; 94-107, eff. 7-1-05; 94-141, eff. 1-1-06; 94-142, eff. 1-1-06; 94-442, eff. 8-4-05; 94-602, eff. 8-16-05; 94-649, eff. 8-22-05; 94-876, eff. 6-19-06; revised 8-3-06.)

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

Sec. 510. Determination of amounts contributed. The Department shall determine the total amount contributed to each of the following: the Child Abuse Prevention Fund, the Illinois Wildlife Preservation Fund, the Assistance to the Homeless Fund, the Alzheimer's Disease Research Fund, the Penny Severns Breast and Cervical Cancer Research Fund, the National World War II Memorial Fund, the Prostate Cancer Research Fund, the Illinois Military Family Relief Fund, the Lou Gehrig's Disease (ALS) Research Fund, the Multiple Sclerosis Assistance Fund, the Sarcoidosis Research Fund, the Leukemia Treatment and Education Fund, the World War II Illinois Veterans Memorial Fund, the Korean War Veterans National Museum and Library Fund, the Illinois Veterans' Homes Fund, the Epilepsy Treatment and Education Grants-in-Aid Fund, the Diabetes Research Checkoff Fund, the Vince Demuzio Memorial Colon Cancer Fund, the Autism

Research Fund, the Blindness Prevention Fund, the Heartsaver AED Fund, the Healthy Smiles Fund, the Asthma and Lung Research Fund, and the Illinois Brain Tumor Research Fund; and shall notify the State Comptroller and the State Treasurer of the amounts to be transferred from the General Revenue Fund to each fund, and upon receipt of such notification the State Treasurer and Comptroller shall transfer the amounts.

(Source: P.A. 93-36, eff. 6-24-03; 93-131, eff. 7-10-03; 93-292, eff. 7-22-03; 93-324, eff. 7-23-03; 93-776, eff. 7-21-04; 94-73, eff. 6-23-05; 94-107, eff. 7-1-05; 94-141, eff. 1-1-06; 94-142, eff. 1-1-06; 94-442, eff. 8-4-05; 94-602, eff. 8-16-05; 94-649, eff. 8-22-05; 94-876, eff. 6-19-06; revised 8-3-06.)

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