

As Introduced

136th General Assembly

Regular Session

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H. B. No. 573

Representatives Synenberg, Piccolantonio

**Cosponsors: Representatives Rogers, Sigrist, Stephens, Upchurch, Lett,
Brennan, Brownlee**

To amend section 5747.113 and to enact sections	1
3701.27 and 4503.108 of the Revised Code to	2
create the Pediatric Cancer Research Fund and to	3
authorize voluntary contributions to it.	4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 5747.113 be amended and sections	5
3701.27 and 4503.108 of the Revised Code be enacted to read as	6
follows:	7

<u>Sec. 3701.27. (A) The pediatric cancer research fund is</u>	8
<u>created in the state treasury. The fund consists of the</u>	9
<u>following voluntary contributions:</u>	10

<u>(1) Those deposited as provided in sections 4503.108 and</u>	11
<u>5747.113 of the Revised Code;</u>	12

<u>(2) Those made directly to the fund by individuals other</u>	13
<u>than as provided in sections 4503.108 and 5747.113 of the</u>	14
<u>Revised Code.</u>	15

<u>All investment earnings from the fund shall be credited to</u>	16
<u>the fund.</u>	17

(B) The director of health shall use the money in the fund 18
as follows: 19

(1) To provide financial support to hospitals within this 20
state for the purpose of conducting pediatric cancer research; 21

(2) For the purpose of sections 4503.108 and 5747.113 of 22
the Revised Code, to develop and distribute informational 23
materials on the importance of pediatric cancer research to the 24
registrar of motor vehicles and each deputy registrar and to the 25
tax commissioner; 26

(3) To pay costs incurred by the director in administering 27
the fund; 28

(4) To reimburse the bureau of motor vehicles and 29
department of taxation for administrative costs incurred in 30
performing their respective duties under sections 4503.108 and 31
5747.113 of the Revised Code. 32

(C) The director also shall conduct a public campaign to 33
inform residents of this state about opportunities to make 34
voluntary contributions to the fund. 35

(D) A hospital seeking funding from the pediatric cancer 36
research fund shall submit a request to the director. The 37
director shall review all requests received under this section 38
and determine the appropriateness of each request for funding. 39
The director shall then approve or disapprove such requests and 40
shall disburse money from the fund to each hospital whose 41
request has been approved. 42

(E) The director shall adopt rules addressing both of the 43
following: 44

(1) The manner in which a hospital shall submit a request 45

under division (D) of this section;

(2) The standards and procedures for determining the
appropriateness of requests for funding and for approving or
disapproving such requests.

The director may adopt any other rules as necessary to
implement this section. All rules shall be adopted in accordance
with Chapter 119. of the Revised Code.

Sec. 4503.108. In addition to the fees collected under
sections 4503.10 and 4503.102 of the Revised Code, the registrar
of motor vehicles or deputy registrar shall ask each person
applying for or renewing a motor vehicle registration whether
the person wishes to make a five-dollar voluntary contribution
to the pediatric cancer research fund established under section
3701.27 of the Revised Code. Every application for registration
or renewal notice shall state whether the owner of the motor
vehicle wishes to make a five-dollar voluntary contribution to
the pediatric cancer research fund established under section
3701.27 of the Revised Code. The registrar or deputy registrar
shall also make available to each person applying for or
renewing a motor vehicle registration informational materials on
the importance of pediatric cancer research provided by the
director of health under division (B) (2) of section 3701.27 of
the Revised Code.

All donations collected under this section during each
calendar quarter shall be forwarded by the registrar to the
treasurer of state, who shall deposit them into the pediatric
cancer research fund.

Sec. 5747.113. (A) Any taxpayer claiming a refund under
section 5747.11 of the Revised Code who wishes to contribute any

part of the taxpayer's refund to the natural areas and preserves 75
fund created in section 1517.11 of the Revised Code, the nongame 76
and endangered wildlife fund created in section 1531.26 of the 77
Revised Code, the military injury relief fund created in section 78
5902.05 of the Revised Code, the Ohio history fund created in 79
section 149.308 of the Revised Code, the breast and cervical 80
cancer project income tax contribution fund created in section 81
3701.601 of the Revised Code, the wishes for sick children 82
income tax contribution fund created in section 3701.602 of the 83
Revised Code, the pediatric cancer research fund created in 84
section 3701.27 of the Revised Code, or all of those funds may 85
designate on the taxpayer's income tax return the amount that 86
the taxpayer wishes to contribute to the fund or funds. A 87
designated contribution is irrevocable upon the filing of the 88
return and shall be made in the full amount designated if the 89
refund found due the taxpayer upon the initial processing of the 90
taxpayer's return, after any deductions including those required 91
by section 5747.12 of the Revised Code, is greater than or equal 92
to the designated contribution. If the refund due as initially 93
determined is less than the designated contribution, the 94
contribution shall be made in the full amount of the refund. The 95
tax commissioner shall subtract the amount of the contribution 96
from the amount of the refund initially found due the taxpayer 97
and shall certify the difference to the director of budget and 98
management and treasurer of state for payment to the taxpayer in 99
accordance with section 5747.11 of the Revised Code. For the 100
purpose of any subsequent determination of the taxpayer's net 101
tax payment, the contribution shall be considered a part of the 102
refund paid to the taxpayer. 103

(B) The tax commissioner shall provide a space on the 104
income tax return form in which a taxpayer may indicate that the 105

taxpayer wishes to make a donation in accordance with this 106
section. The tax commissioner shall also print in the 107
instructions accompanying the income tax return form a 108
description of the purposes for which the natural areas and 109
preserves fund, the nongame and endangered wildlife fund, the 110
military injury relief fund, the Ohio history fund, the breast 111
and cervical cancer project income tax contribution fund, ~~and~~ 112
the wishes for sick children income tax contribution fund, and 113
the pediatric cancer research fund were created and the use of 114
moneys from the income tax refund contribution system 115
established in this section. No person shall designate on the 116
person's income tax return any part of a refund claimed under 117
section 5747.11 of the Revised Code as a contribution to any 118
fund other than the natural areas and preserves fund, the 119
nongame and endangered wildlife fund, the military injury relief 120
fund, the Ohio history fund, the breast and cervical cancer 121
project income tax contribution fund, ~~or~~ the wishes for sick 122
children income tax contribution fund, or the pediatric cancer 123
research fund. 124

(C) The money collected under the income tax refund 125
contribution system established in this section shall be 126
deposited by the tax commissioner into the natural areas and 127
preserves fund, the nongame and endangered wildlife fund, the 128
military injury relief fund, the Ohio history fund, the breast 129
and cervical cancer project income tax contribution fund, ~~and~~ 130
the wishes for sick children income tax contribution fund, and 131
the pediatric cancer research fund in the amounts designated on 132
the tax returns. 133

(D) If the total amount contributed to a fund under this 134
section, as annually determined by the tax commissioner, is less 135
than fifty thousand dollars in each of five consecutive calendar 136

years, no person may designate a contribution to that fund for 137
any taxable year ending after the last day of that five-year 138
period. In such a case, the commissioner shall remove the space 139
dedicated to the fund on the income tax return and the 140
description of the fund in the instructions accompanying the 141
income tax return. 142

(E) The general assembly may authorize taxpayer refund 143
contributions to no more than ~~six~~seven funds under the income 144
tax refund contribution system established in this section. If 145
the general assembly authorizes income tax refund contributions 146
to a fund other than the natural areas and preserves fund, the 147
nongame and endangered wildlife fund, the military injury relief 148
fund, the Ohio history fund, the breast and cervical cancer 149
project income tax contribution fund, ~~or~~the wishes for sick 150
children income tax contribution fund, or pediatric cancer 151
research fund, such contributions may be authorized only for a 152
period of two calendar years. 153

With the exception of the Ohio history fund, the general 154
assembly may authorize income tax refund contributions to a fund 155
only if all the money in the fund will be expended or 156
distributed by a state agency as defined in section 1.60 of the 157
Revised Code. 158

(F) (1) The director of natural resources, in January of 159
every odd-numbered year, shall report to the general assembly on 160
the effectiveness of the income tax refund contribution system 161
as it pertains to the natural areas and preserves fund and the 162
nongame and endangered wildlife fund. The report shall include 163
the amount of money contributed to each fund in each of the 164
previous five years, the amount of money contributed directly to 165
each fund in addition to or independently of the income tax 166

refund contribution system in each of the previous five years, 167
and the purposes for which the money was expended. 168

(2) The director of veterans services, the director of the 169
Ohio history connection, and the director of health, in January 170
of every odd-numbered year, each shall report to the general 171
assembly on the effectiveness of the income tax refund 172
contribution system as it pertains to the military injury relief 173
fund, the Ohio history fund, the breast and cervical cancer 174
project income tax contribution fund, ~~and the wishes for sick~~ 175
children income tax contribution fund, and the pediatric cancer 176
research fund respectively. The report shall include the amount 177
of money contributed to the fund in each of the previous five 178
years, the amount of money contributed directly to the fund in 179
addition to or independently of the income tax refund 180
contribution system in each of the previous five years, and the 181
purposes for which the money was expended. 182

Section 2. That existing section 5747.113 of the Revised 183
Code is hereby repealed. 184