

1 AN ACT concerning taxes.

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 adding Section 213 as follows:

6 (35 ILCS 5/213 new)

7 Sec. 213. Teacher's instructional materials credit.

8 (a) Beginning with taxable years ending on or after
9 December 31, 2004, each individual taxpayer who is a teacher
10 at a qualifying school is entitled to a credit against the
11 tax imposed by subsections (a) and (b) of Section 201 in the
12 amount equal to 50% of the amount spent by the taxpayer in
13 the taxable year for instructional materials for use in the
14 classroom. The Department shall establish by rule those
15 expenses that are eligible for the credit under this Section.
16 The tax credit may not reduce the taxpayer's liability to
17 less than zero.

18 (b) If the amount of the credit exceeds the tax
19 liability for the year, the excess may be carried forward and
20 applied to the tax liability of the 5 taxable years following
21 the excess credit year. The credit shall be applied to the
22 earliest year for which there is a tax liability. If there
23 are credits from more than one tax year that are available to
24 offset a liability, the earlier credit shall be applied
25 first.

26 (c) As used in this Section:

27 "Teacher" means a person employed in an instructional
28 position at a qualifying school.

29 "Qualifying school" means either (i) a nonprofit
30 elementary or secondary school in Illinois, other than a
31 public school, that is in compliance with Title VI of the

1 Civil Rights Act of 1964 and attendance at which satisfies
2 the requirements of Section 26-1 of the School Code or (ii) a
3 public elementary or secondary school.

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