



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1369

Introduced 1/28/2025, by Rep. Suzanne M. Ness

SYNOPSIS AS INTRODUCED:

New Act
35 ILCS 5/246 new

Creates the Caring for Caregivers Act. Provides that a taxpayer who is a family caregiver and who incurs eligible expenditures during the taxable year for the care and support of an eligible family member may apply to the Department of Revenue for an income tax credit. Provides that the credit shall be equal to 50% of the eligible expenditures incurred during the taxable year by the family caregiver for the care and support of an eligible family member, subject to certain specified limitations. Amends the Illinois Income Tax Act to make conforming changes. Effective January 1, 2026.

LRB104 05140 HLH 15169 b

1 AN ACT concerning revenue.

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

4 Section 1. Short title. This Act may be cited as the Caring
5 for Caregivers Act.

6 Section 5. Definitions.

7 "Activities of daily living" means:

8 (1) ambulating, which means the ability of an
9 individual to move from one position to another and to
10 walk independently;

11 (2) feeding, which means the ability of an individual
12 to feed himself or herself;

13 (3) dressing, which means the ability to select
14 appropriate clothes and to put the clothes on without aid;

15 (4) personal hygiene, which means the ability to bathe
16 and groom oneself and to maintain dental hygiene and nail
17 and hair care;

18 (5) continence, which means the ability to control
19 bladder and bowel function; and

20 (6) toileting, which means the ability to get to and
21 from the toilet without aid and to use it appropriately.

22 "Department" means the Department of Revenue.

23 "Eligible expenditure" means the following when directly

1 related to assisting the family caregiver in providing care to
2 an eligible family member:

3 (1) the improvement or alteration to the family
4 caregiver's or eligible family member's primary residence
5 to permit the eligible family member to live in the
6 residence and to remain mobile, safe, and independent;

7 (2) the family caregiver's purchase or lease of
8 equipment, including, but not limited to, durable medical
9 equipment, that is necessary to assist an eligible family
10 member in carrying out one or more activities of daily
11 living; and

12 (3) other expenses paid or incurred by the family
13 caregiver that assist the family caregiver in providing
14 care to an eligible family member, including, but not
15 limited to, expenses related to:

16 (A) obtaining respite care;

17 (B) obtaining adult day care;

18 (C) hiring a personal care attendant;

19 (D) hiring a home care aide;

20 (E) purchasing durable medical equipment;

21 (F) obtaining transportation; and

22 (G) acquiring assistive technology or other
23 technology.

24 Expenses incurred in carrying out general household
25 maintenance activities, such as painting, plumbing, electrical
26 repairs, or exterior maintenance, are not considered eligible

1 expenditures under this Act unless those expenditures qualify
2 under item (1) of this definition.

3 "Eligible family member" means an individual who meets all
4 of the following:

5 (1) the individual is a resident of the State;

6 (2) the individual is at least 60 years of age;

7 (3) the individual requires assistance with at least 2
8 activities of daily living, as certified by a licensed
9 health care provider;

10 (4) the individual qualifies as a dependent, spouse,
11 parent, or other relation of the family caregiver by
12 blood, marriage, or civil union, including an in-law,
13 sibling, grandparent, grandchild, stepparent, stepchild,
14 aunt, uncle, niece, nephew of the family caregiver, or an
15 individual whose close association with the family
16 caregiver is the equivalent of a family relationship; and

17 (5) the individual lives in a private residential home
18 and not in an assisted living center, nursing facility, or
19 residential care home.

20 "Family caregiver" means an individual who meets all of
21 the following:

22 (1) the individual is an Illinois resident and
23 taxpayer;

24 (2) the individual provides care and support for an
25 eligible family member;

26 (3) the individual has a federal adjusted gross income

1 for the taxable year of less than \$50,000 for an
2 individual and less than \$100,000 for spouses filing a
3 joint income tax return; and

4 (4) the individual has personally incurred
5 uncompensated eligible expenditures directly related to
6 the care of an eligible family member.

7 "Veteran" means an individual who has served as a member
8 of the United States Armed Forces on active duty or State
9 active duty, a member of the Illinois National Guard, or a
10 member of the United States Reserve Forces and who has
11 received an honorable discharge.

12 Section 10. Credit allowed.

13 (a) For taxable years beginning on or after January 1,
14 2026, a taxpayer who is a family caregiver and who incurs
15 eligible expenditures during the taxable year for the care and
16 support of an eligible family member may apply to the
17 Department, in the form and manner required by the Department
18 by rule, for a credit against the tax imposed by subsections
19 (a) and (b) of Section 201 of the Illinois Income Tax Act.
20 Subject to the limitations in subsections (b) and (c), the
21 credit under this Act shall be equal to 50% of the eligible
22 expenditures incurred during the taxable year by the family
23 caregiver for the care and support of an eligible family
24 member.

25 (b) The maximum allowable credit authorized by this

1 Section shall be \$2,000 per taxpayer per taxable year, unless
2 the eligible family member is a veteran, in which case the
3 maximum allowable credit shall be \$3,000 per taxable year for
4 that taxpayer. The credit or credits may not reduce the
5 taxpayer's liability to less than zero. Excess credit amounts
6 under this Act may not be carried forward or back.

7 (c) Upon approval of a credit award under this Section,
8 the Department shall issue a tax credit certificate to the
9 taxpayer. The taxpayer shall attach the tax credit certificate
10 to the taxpayer's Illinois income tax return for the taxable
11 year.

12 (d) The total credits authorized under this Section for
13 all taxpayers shall not exceed \$1,500,000 annually.

14 (e) This Act is exempt from the provisions of Section 250
15 of the Illinois Income Tax Act.

16 Section 15. Report. The Department shall submit an annual
17 report to the Governor and the General Assembly detailing (i)
18 the total amount of tax credits claimed under this Act for the
19 preceding fiscal year and (ii) the total number of taxpayers
20 who received credits under this Act for the preceding fiscal
21 year. The Department shall publish that report on its website
22 and shall provide a copy of the report to the Department on
23 Aging for publication on the Department on Aging's website.

24 Section 20. Rulemaking. The Department of Revenue shall

1 adopt rules to implement and administer the credit authorized
2 by this Act.

3 Section 900. The Illinois Income Tax Act is amended by
4 adding Section 246 as follows:

5 (35 ILCS 5/246 new)

6 Sec. 246. The Caring for Caregivers Act; credit. For
7 taxable years beginning on or after January 1, 2026, a
8 taxpayer who is awarded a credit under the Caring for
9 Caregivers Act is entitled to a credit against the tax imposed
10 by subsections (a) and (b) of Section 201 of this Act as
11 provided in the Caring for Caregivers Act.

12 This Section is exempt from the provisions of Section 250.

13 Section 999. Effective date. This Act takes effect January
14 1, 2026.