



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB5123

Introduced 2/10/2026, by Rep. Steven Reick

#### SYNOPSIS AS INTRODUCED:

35 ILCS 5/208

from Ch. 120, par. 2-208

Amends the Illinois Income Tax Act. Provides that, if the amount of the credit for residential real property taxes exceeds the taxpayer's liability, that amount shall be refunded if the taxpayer is 65 years or older and has a federal adjusted gross income of not more than \$50,000. Provides that the credit is exempt from the Act's automatic sunset provision. Effective immediately.

LRB104 16529 HLH 29925 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 5. The Illinois Income Tax Act is amended by  
5 changing Section 208 as follows:

6 (35 ILCS 5/208) (from Ch. 120, par. 2-208)

7 Sec. 208. Tax credit for residential real property taxes.  
8 Beginning with tax years ending on or after December 31, 1991,  
9 every individual taxpayer shall be entitled to a tax credit  
10 equal to 5% of real property taxes paid by such taxpayer during  
11 the taxable year on the principal residence of the taxpayer.  
12 In the case of multi-unit or multi-use structures and farm  
13 dwellings, the taxes on the taxpayer's principal residence  
14 shall be that portion of the total taxes which is attributable  
15 to such principal residence. Notwithstanding any other  
16 provision of law, for taxable years beginning on or after  
17 January 1, 2017, no taxpayer may claim a credit under this  
18 Section if the taxpayer's adjusted gross income for the  
19 taxable year exceeds (i) \$500,000, in the case of spouses  
20 filing a joint federal tax return, or (ii) \$250,000, in the  
21 case of all other taxpayers.

22 For taxable years beginning on or after January 1, 2026,  
23 if the amount of the credit exceeds the taxpayer's income tax

1 liability for the applicable tax year, then the excess credit  
2 shall be refunded to the taxpayer if the taxpayer is 65 years  
3 old or older and has a federal adjusted gross income of not  
4 more than \$50,000. The amount of a refund shall not be included  
5 in the taxpayer's income or resources for the purposes of  
6 determining eligibility or benefit level in any means-tested  
7 benefit program administered by a governmental entity unless  
8 required by federal law.

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

10 (Source: P.A. 101-8, see Section 99 for effective date;  
11 102-558, eff. 8-20-21.)

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