



Rep. Yolonda Morris

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10400HB5470ham001

LRB104 19493 HLH 35379 a

1 AMENDMENT TO HOUSE BILL 5470

2 AMENDMENT NO. _____. Amend House Bill 5470 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Commerce and Economic
5 Opportunity Law of the Civil Administrative Code of Illinois
6 is amended by changing Sections 605-300, 605-465, 605-503,
7 605-913, 605-1007, and 605-1032 as follows:

8 (20 ILCS 605/605-300) (was 20 ILCS 605/46.2)

9 Sec. 605-300. Economic development plans. The Department
10 shall develop a strategic economic development plan for the
11 State by July 1, 2014. By no later than January 31 ~~July 1,~~
12 ~~2015, and by July 1~~ annually thereafter, the Department shall
13 make modifications to the plan as modifications are warranted
14 by changes in economic conditions or by other factors,
15 including changes in policy. In addition to the annual
16 modification, the plan shall be reviewed and redeveloped in

1 full every 5 years. In the development of the annual economic
2 development plan, the Department shall consult with
3 representatives of the private sector, other State agencies,
4 academic institutions, local economic development
5 organizations, local governments, and not-for-profit
6 organizations. The annual economic development plan shall set
7 specific, measurable, attainable, relevant, and time-sensitive
8 goals and shall include a focus on areas of high unemployment
9 or poverty.

10 The term "economic development" shall be construed broadly
11 by the Department and may include, but is not limited to, job
12 creation, job retention, tax base enhancements, development of
13 human capital, workforce productivity, critical
14 infrastructure, regional competitiveness, social inclusion,
15 standard of living, environmental sustainability, energy
16 independence, quality of life, the effective use of financial
17 incentives, the utilization of public private partnerships
18 where appropriate, and other metrics determined by the
19 Department.

20 The plan shall be based on relevant economic data, focus
21 on economic development as prescribed by this Section, and
22 emphasize strategies to retain and create jobs.

23 The plan shall identify and develop specific strategies
24 for utilizing the assets of regions within the State defined
25 as counties and municipalities or other political subdivisions
26 in close geographical proximity that share common economic

1 traits such as commuting zones, labor market areas, or other
2 economically integrated characteristics.

3 If the plan includes strategies that have a fiscal impact
4 on the Department or any other agency, the plan shall include a
5 detailed description of the estimated fiscal impact of such
6 strategies.

7 Prior to publishing the plan in its final form, the
8 Department shall allow for a reasonable time for public input.

9 The Department shall transmit copies of the economic
10 development plan to the Governor and the General Assembly no
11 later than July 1, 2014, and by July 1 annually thereafter. The
12 plan and its corresponding modifications shall be published
13 and made available to the public in both paper and electronic
14 media, on the Department's website, and by any other method
15 that the Department deems appropriate.

16 The Department shall annually submit legislation to
17 implement the strategic economic development plan or
18 modifications to the strategic economic development plan to
19 the Governor, the President and Minority Leader of the Senate,
20 and the Speaker and the Minority Leader of the House of
21 Representatives. The legislation shall be in the form of one
22 or more substantive bills drafted by the Legislative Reference
23 Bureau.

24 (Source: P.A. 104-435, eff. 11-21-25.)

1 Sec. 605-465. Comprehensive website information.

2 (a) The Department's official website must contain a
3 comprehensive list of State, local, and federal economic
4 benefits available to businesses in each of the State's
5 counties and municipalities that the Department includes on
6 its website. In order to do so:

7 (1) The Department annually must request a summary of
8 available economic benefits from each of the State's
9 counties and municipalities that are linked to the
10 Department's website.

11 (2) The information obtained under paragraph (1) must
12 be published on the related web pages of the Department's
13 website.

14 (3) The Department's website shall also provide
15 information regarding available federal economic benefits
16 to the extent possible.

17 (b) The Department shall adopt rules for the
18 implementation of this Section.

19 (c) This Section is repealed on July 1, 2026.

20 (Source: P.A. 97-721, eff. 6-29-12.)

21 (20 ILCS 605/605-503)

22 Sec. 605-503. Entrepreneurship assistance centers.

23 (a) The Department shall establish and support, subject to
24 appropriation, entrepreneurship assistance centers, including
25 the issuance of grants, at career education agencies and

1 not-for-profit corporations, including, but not limited to,
2 local development corporations, chambers of commerce,
3 community-based business outreach centers, and other
4 community-based organizations. The purpose of the centers
5 shall be to train minority group members, women, individuals
6 with a disability, dislocated workers, veterans, and youth
7 entrepreneurs in the principles and practice of
8 entrepreneurship in order to prepare those persons to pursue
9 self-employment opportunities and to pursue a minority
10 business enterprise or a women-owned business enterprise. The
11 centers shall provide for training in all aspects of business
12 development and small business management as defined by the
13 Department.

14 (b) The Department shall establish criteria for selection
15 and designation of the centers which shall include, but not be
16 limited to:

17 (1) the level of support for the center from local
18 post-secondary education institutions, businesses, and
19 government;

20 (2) the level of financial assistance provided at the
21 local and federal level to support the operations of the
22 center;

23 (3) the applicant's understanding of program goals and
24 objectives articulated by the Department;

25 (4) the plans of the center to supplement State and
26 local funding through fees for services which may be based

1 on a sliding scale based on ability to pay;

2 (5) the need for and anticipated impact of the center
3 on the community in which it will function;

4 (6) the quality of the proposed work plan and staff of
5 the center; and

6 (7) the extent of economic distress in the area to be
7 served.

8 (c) Each center shall:

9 (1) be operated by a board of directors representing
10 community leaders in business, education, finance, and
11 government;

12 (2) be incorporated as a not-for-profit corporation;

13 (3) be located in an area accessible to eligible
14 clients;

15 (4) establish an advisory group of community business
16 experts, at least one-half of whom shall be representative
17 of the clientele to be served by the center, which shall
18 constitute a support network to provide counseling and
19 mentoring services to minority group members, women,
20 individuals with a disability, dislocated workers,
21 veterans, and youth entrepreneurs from the concept stage
22 of development through the first one to 2 years of
23 existence on a regular basis and as needed thereafter; and

24 (5) establish a referral system and linkages to
25 existing area small business assistance programs and
26 financing sources.

1 (d) Each entrepreneurship assistance center shall provide
2 needed services to eligible clients, including, but not
3 limited to: (i) orientation and screening of prospective
4 entrepreneurs; (ii) analysis of business concepts and
5 technical feasibility; (iii) market analysis; (iv) management
6 analysis and counseling; (v) business planning and financial
7 planning assistance; (vi) referrals to financial resources;
8 (vii) referrals to existing educational programs for training
9 in such areas as marketing, accounting, and other training
10 programs as may be necessary and available; and (viii)
11 referrals to business incubator facilities, when appropriate,
12 for the purpose of entering into agreements to access shared
13 support services.

14 (e) Applications for grants made under this Section shall
15 be made in the manner and on forms prescribed by the
16 Department. The application shall include, but shall not be
17 limited to:

18 (1) a description of the training programs available
19 within the geographic area to be served by the center to
20 which eligible clients may be referred;

21 (2) designation of a program director;

22 (3) plans for providing ongoing technical assistance
23 to program graduates, including linkages with providers of
24 other entrepreneurial assistance programs and with
25 providers of small business technical assistance and
26 services;

1 (4) a program budget, including matching funds,
2 in-kind and otherwise, to be provided by the applicant;
3 and

4 (5) any other requirements as deemed necessary by the
5 Department.

6 (f) Grants made under this Section shall be disbursed for
7 payment of the cost of services and expenses of the program
8 director, the instructors of the participating career
9 education agency or not-for-profit corporation, the faculty
10 and support personnel thereof, and any other person in the
11 service of providing instruction and counseling in furtherance
12 of the program.

13 (g) The Department shall monitor the performance of each
14 entrepreneurial assistance center and require quarterly
15 reports from each center at such time and in such a manner as
16 prescribed by the Department.

17 The Department shall also evaluate the entrepreneurial
18 assistance centers established under this Section and report
19 annually ~~beginning on January 1, 2023, and~~ on or before
20 January 31 ~~January 1~~ of each year ~~thereafter,~~ the results of
21 the evaluation to the Governor and the General Assembly. The
22 report shall discuss the extent to which the centers serve
23 minority group members, women, individuals with a disability,
24 dislocated workers, veterans, and youth entrepreneurs; the
25 extent to which the training program is coordinated with other
26 assistance programs targeted to small and new businesses; the

1 ability of the program to leverage other sources of funding
2 and support; and the success of the program in aiding
3 entrepreneurs to start up new businesses, including the number
4 of new business start-ups resulting from the program. The
5 report shall recommend changes and improvements in the
6 training program and in the quality of supplemental technical
7 assistance offered to graduates of the training programs. The
8 report shall be made available to the public on the
9 Department's website. Between evaluation due dates, the
10 Department shall maintain the necessary records and data
11 required to satisfy the evaluation requirements.

12 (h) For purposes of this Section:

13 "Entrepreneurship assistance center" or "center" means the
14 business development centers or programs which provide
15 assistance to primarily minority group members, women,
16 individuals with a disability, dislocated workers, veterans,
17 and youth entrepreneurs under this Section.

18 "Disability" means, with respect to an individual: (i) a
19 physical or mental impairment that substantially limits one or
20 more of the major life activities of an individual; (ii) a
21 record of such an impairment; or (iii) being regarded as
22 having an impairment.

23 "Minority business enterprise" has the same meaning as
24 provided for "minority-owned business" under Section 2 of the
25 Business Enterprise for Minorities, Women, and Persons with
26 Disabilities Act.

1 "Minority group member" has the same meaning as provided
2 for "minority person" under Section 2 of the Business
3 Enterprise for Minorities, Women, and Persons with
4 Disabilities Act.

5 "Women-owned business enterprise" has the same meaning as
6 provided for "women-owned business" under Section 2 of the
7 Business Enterprise for Minorities, Women, and Persons with
8 Disabilities Act.

9 "Veteran" means a person who served in and who has
10 received an honorable or general discharge from, the United
11 States Army, Navy, Air Force, Space Force, Marines, Coast
12 Guard, or reserves thereof, or who served in the Army National
13 Guard, Air National Guard, or Illinois National Guard.

14 "Youth entrepreneur" means a person who is between the
15 ages of 16 and 29 years old and is seeking community support to
16 start a business in Illinois.

17 (Source: P.A. 102-272, eff. 1-1-22; 102-821, eff. 1-1-23;
18 103-154, eff. 6-30-23; 103-746, eff. 1-1-25.)

19 (20 ILCS 605/605-913)

20 Sec. 605-913. Clean Water Workforce Pipeline Program.

21 (a) The General Assembly finds the following:

22 (1) The fresh surface water and groundwater supply in
23 Illinois and Lake Michigan constitute vital natural
24 resources that require careful stewardship and protection
25 for future generations. Access to safe and clean drinking

1 water is the right of all Illinois residents.

2 (2) To adequately protect these resources and provide
3 safe and clean drinking water, substantial investment is
4 needed to replace lead components in drinking water
5 infrastructure, improve wastewater treatment, flood
6 control, and stormwater management, control aquatic
7 invasive species, implement green infrastructure
8 solutions, and implement other infrastructure solutions to
9 protect water quality.

10 (3) Implementing these clean water solutions will
11 require a skilled and trained workforce, and new
12 investments will demand additional workers with
13 specialized skills.

14 (4) Water infrastructure jobs have been shown to
15 provide living wages and contribute to Illinois' economy.

16 (5) Significant populations of Illinois residents,
17 including, but not limited to, residents of environmental
18 justice communities, economically and socially
19 disadvantaged communities, those returning from the
20 criminal justice system, foster care alumni, and in
21 particular women and transgender persons, are in need of
22 access to skilled living wage jobs like those in the water
23 infrastructure sector.

24 (6) Many of these residents are more likely to live in
25 communities with aging and inadequate clean water
26 infrastructure and suffer from threats to surface and

1 drinking water quality.

2 (7) The State can provide significant economic
3 opportunities to these residents and achieve greater
4 environmental and public health by investing in clean
5 water infrastructure.

6 (8) New training, recruitment, support, and placement
7 efforts are needed to connect these residents with career
8 opportunities in water infrastructure.

9 (9) The State must invest in both clean water
10 infrastructure and workforce development efforts in order
11 to achieve these goals.

12 (b) Subject to appropriation, ~~From appropriations made~~
13 ~~from the Build Illinois Bond Fund, Capital Development Fund,~~
14 ~~or General Revenue Fund or other funds as identified by the~~
15 ~~Department,~~ the Department may ~~shall~~ create a Clean Water
16 Workforce Pipeline Program to provide grants and other
17 financial assistance to prepare and support individuals for
18 careers in water infrastructure. All funding provided by the
19 Program under this Section shall be designed to encourage and
20 facilitate employment in projects funded through State capital
21 investment and provide participants a skill set to allow them
22 to work professionally in fields related to water
23 infrastructure.

24 Grants and other financial assistance may be made
25 available on a competitive annual basis to organizations that
26 demonstrate a capacity to recruit, support, train, and place

1 individuals in water infrastructure careers, including, but
2 not limited to, community organizations, educational
3 institutions, workforce investment boards, community action
4 agencies, and multi-craft labor organizations for new efforts
5 specifically focused on engaging residents of environmental
6 justice communities, economically and socially disadvantaged
7 communities, those returning from the criminal justice system,
8 foster care alumni, and in particular women and transgender
9 persons in these populations.

10 Grants and other financial assistance may ~~shall~~ be awarded
11 on a competitive and annual basis for the following
12 activities:

13 (1) identification of individuals for job training in
14 the water sector;

15 (2) counseling, preparation, skills training, and
16 other support to increase a candidate's likelihood of
17 success in a job training program and career;

18 (3) financial support for individuals in a water
19 sector job skills training program, support services, and
20 transportation assistance tied to training under this
21 Section;

22 (4) job placement services for individuals during and
23 after completion of water sector job skills training
24 programs; and

25 (5) financial, administrative, and management
26 assistance for organizations engaged in these activities.

1 (c) It shall be an annual goal of the Program to train and
2 place at least 300, or 25% of the number of annual jobs created
3 by State financed water infrastructure projects, whichever is
4 greater, of the following persons in water sector-related
5 apprenticeships annually: residents of environmental justice
6 communities; residents of economically and socially
7 disadvantaged communities; those returning from the criminal
8 justice system; foster care alumni; and, in particular, women
9 and transgender persons. In awarding and administering grants
10 under this Program, the Department shall strive to provide
11 assistance equitably throughout the State.

12 In order to encourage the employment of individuals
13 trained through the Program onto projects receiving State
14 financial assistance, the Department shall coordinate with the
15 Illinois Environmental Protection Agency, the Illinois Finance
16 Authority, and other State agencies that provide financial
17 support for water infrastructure projects. These agencies
18 shall take steps to support attaining the training and
19 placement goals set forth in this subsection, using a list of
20 projects that receive State financial support. These agencies
21 may propose and adopt rules to facilitate the attainment of
22 this goal.

23 Using funds appropriated for the purposes of this Section,
24 the Department may select through a competitive bidding
25 process a Program Administrator to oversee the allocation of
26 funds and select organizations that receive funding.

1 The Department may require recipients of grants under this
2 Program to ~~Recipients of grants under the Program shall~~ report
3 ~~annually~~ to the Department, at intervals determined by the
4 Department, on the success of their efforts and their
5 contribution to reaching the goals of the Program provided in
6 this subsection. To the extent possible based on reporting
7 provided by recipients of grants under this Program, the ~~The~~
8 Department shall compile this information and periodically
9 ~~annually~~ report to the General Assembly on the Program,
10 including, but not limited to, the following information:

11 (1) progress toward the goals stated in this
12 subsection;

13 (2) any increase in the percentage of water industry
14 jobs in targeted populations;

15 (3) any increase in the rate of acceptance,
16 completion, or retention of water training programs among
17 targeted populations;

18 (4) any increase in the rate of employment, including
19 hours and annual income, measured against pre-Program
20 participant income; and

21 (5) any recommendations for future changes to optimize
22 the success of the Program.

23 (d) Within 180 days after an appropriation is made
24 available for the purposes of meeting the requirements of this
25 Act, ~~Within 90 days after January 1, 2020 (the effective date~~
26 ~~of Public Act 101-576),~~ the Department shall propose rules for

1 ~~adoption a draft plan~~ to implement this Section in accordance
2 with the Illinois Administrative Procedure Act, including any
3 public comment required by the Joint Committee on
4 Administrative Rules. ~~for public comment. The Department shall~~
5 ~~allow a minimum of 60 days for public comment on the plan,~~
6 ~~including one or more public hearings, if requested. The~~
7 ~~Department shall finalize the plan within 180 days of January~~
8 ~~1, 2020 (the effective date of Public Act 101-576).~~

9 The Department may propose and adopt any rules necessary
10 for the implementation of the Program and to ensure compliance
11 with this Section.

12 (e) The Water Workforce Development Fund is created as a
13 special fund in the State treasury. The Fund shall receive
14 moneys appropriated for the purpose of this Section from the
15 Build Illinois Bond Fund, the Capital Development Fund, the
16 General Revenue Fund and any other funds. Moneys in the Fund
17 shall only be used to fund the Program and to assist and enable
18 implementation of clean water infrastructure capital
19 investments. Notwithstanding any other law to the contrary,
20 the Water Workforce Development Fund is not subject to sweeps,
21 administrative charge-backs, or any other fiscal or budgetary
22 maneuver that would in any way transfer any amounts from the
23 Water Workforce Development Fund into any other fund of the
24 State.

25 (f) For purpose of this Section:

26 "Environmental justice community" has the meaning provided

1 in subsection (b) of Section 1-50 of the Illinois Power Agency
2 Act.

3 "Multi-craft labor organization" means a joint
4 labor-management apprenticeship program registered with and
5 approved by the United States Department of Labor's Office of
6 Apprenticeship or a labor organization that has an accredited
7 training program through the Higher Learning Commission or the
8 Illinois Community College Board.

9 "Organization" means a corporation, company, partnership,
10 association, society, order, labor organization, or individual
11 or aggregation of individuals.

12 (Source: P.A. 101-576, eff. 1-1-20; 102-558, eff. 8-20-21.)

13 (20 ILCS 605/605-1007)

14 Sec. 605-1007. New business permitting portal.

15 (a) By July 1, 2017, the Department shall, subject to
16 appropriation, create and maintain, in consultation with the
17 Department of Innovation and Technology, a website to help
18 persons wishing to create new businesses or relocate
19 businesses to Illinois. The Department shall consult with at
20 least one organization representing small businesses in this
21 State while creating the website.

22 (b) The website shall include:

23 (1) an estimate of license and permitting fees for
24 different businesses;

25 (2) State government application forms for business

1 licensing or registration;

2 (3) hyperlinks to websites of the responsible agency
3 or organization responsible for accepting the application;
4 and

5 (4) contact information for any local government
6 permitting agencies that may be relevant.

7 (c) The Department shall maintain an integrated digital
8 platform for business permitting and licensing information in
9 collaboration with all State agencies with regulatory
10 authority over business activities. Those agencies shall
11 provide, maintain, and update their required business forms,
12 instructions, and related content in the shared content
13 management system or other Department-designated platform on
14 an ongoing basis, in accordance with guidance issued by the
15 Department. Agencies shall also maintain current and accurate
16 business-related content on their primary public websites to
17 ensure efficient integration and curation of information into
18 the portal. ~~contact all agencies to obtain business forms and~~
19 ~~other information for this website. Those agencies shall~~
20 ~~respond to the Department before July 1, 2016.~~

21 (d) The website shall also include some mechanism for the
22 potential business owner to request more information from the
23 Department that may be helpful in starting the business,
24 including, but not limited to, State-based incentives that the
25 business owner may qualify for when starting or relocating a
26 business.

1 (e) The Department shall ensure that the portal is kept
2 current through continuous content management processes. State
3 agencies with regulatory authority over business activities
4 shall notify the Department or update the shared content
5 management system promptly when changes to forms, fees,
6 processes, requirements, or other relevant information occur,
7 and shall review and confirm the accuracy of its application
8 forms and related content at least annually. ~~update the~~
9 ~~website at least once a year before July 1. The Department~~
10 ~~shall request that other State agencies report any changes in~~
11 ~~applicable application forms to the Department by June 1 of~~
12 ~~every year after 2016.~~

13 (Source: P.A. 102-276, eff. 8-6-21.)

14 (20 ILCS 605/605-1032)

15 Sec. 605-1032. Office of Economic Equity and Empowerment.

16 (a) As used in this Section:

17 "Eligible not-for-profit corporation" means a
18 not-for-profit corporation, as defined in Section 101.80 of
19 the General Not For Profit Corporation Act of 1986, that
20 primarily serves minorities, women, veterans, or persons with
21 a disability.

22 "Office" means the Office of Economic Equity and
23 Empowerment.

24 (b) The Office of Economic Equity and Empowerment is
25 hereby created within the Department. The Office shall assist

1 minority-owned businesses, women-owned businesses,
2 veteran-owned businesses, businesses owned by persons with
3 disabilities, eligible not-for-profit corporations, and other
4 underserved communities and constituencies through targeted
5 programs, resources, and outreach and promotional activities.
6 The Office may engage in or conduct the following activities:

7 (1) promoting and conducting outreach efforts to
8 ensure access to State and federal funding opportunities,
9 and assisting minority-owned businesses, women-owned
10 businesses, veteran-owned businesses, businesses owned by
11 persons with disabilities, eligible not-for-profit
12 corporations, and other underserved communities and
13 constituencies in applying for and receiving loan funds in
14 the State;

15 (2) providing and hosting workshops and public forums
16 and engaging in outreach efforts for minority-owned
17 businesses, women-owned businesses, veteran-owned
18 businesses, businesses owned by persons with disabilities,
19 and other underserved communities and constituencies to
20 encourage participation in programs under the Business
21 Enterprise for Minorities, Women, and Persons with
22 Disabilities Act, and assisting those businesses in
23 becoming designated under that Act and under similar
24 certification programs;

25 (3) providing and hosting workshops and public forums
26 and engaging in outreach efforts that assist and educate

1 minority-owned businesses, women-owned businesses,
2 veteran-owned businesses, businesses owned by persons with
3 disabilities, eligible not-for-profit corporations, and
4 other underserved communities and constituencies on the
5 process of applying for and becoming certified to apply
6 for State grant funds under the Grant Accountability and
7 Transparency Act;

8 (4) providing and hosting workshops and public forums
9 and engaging in outreach efforts that assist and educate
10 aspiring and existing minority-owned businesses,
11 women-owned businesses, veteran-owned businesses,
12 businesses owned by persons with disabilities, eligible
13 not-for-profit corporations, and other underserved
14 communities and constituencies with understanding concepts
15 including, but not limited to, business formation and
16 not-for-profit incorporation, business planning, capital
17 access, and marketing a business or not-for-profit
18 corporation;

19 (5) administering programs established by the
20 Department or the General Assembly to provide grants to
21 minority-owned businesses, woman-owned businesses,
22 veteran-owned businesses, businesses owned by persons with
23 disabilities, eligible not-for-profit corporations, and
24 other underserved communities and constituencies;

25 (6) coordinating assistance for minority-owned
26 businesses, woman-owned businesses, veteran-owned

1 businesses, businesses owned by persons with disabilities,
2 eligible not-for-profit corporations, and other
3 underserved communities and constituencies with other
4 State agencies;

5 (7) providing staff, administration, and related
6 support required to administer this Section; and

7 (8) establishing applications, notifications,
8 contracts, and other forms and procedures, and adopting
9 rules deemed necessary and appropriate.

10 (b-5) Subject to appropriation, the Office may administer
11 assistance that is focused on the revitalization and economic
12 stabilization of urban areas in the State. This assistance may
13 include programming, communication, and cross-coordination of
14 existing State programs designed to stimulate the economic
15 growth of under-resourced and underserved urban areas of the
16 State. Among other duties assigned by the Department, subject
17 to appropriation, the Office is authorized to do the
18 following:

19 (1) To the extent possible, to assist in the
20 coordination and communication of the activities of the
21 following units and programs of the Department and all
22 other present and future units and programs of the
23 Department that impact under-resourced or underserved
24 urban areas to the extent that they may assist urban areas
25 and urban economics:

26 (A) the Enterprise Zone Program;

1 (B) the Small Business Development Center Program;

2 (C) the Low-Income Heating and Energy Assistance
3 Program (LIHEAP) and related energy assistance
4 programs;

5 (D) programs funded through Community Services
6 Block Grant funds;

7 (E) programs funded through Community Development
8 Block Grant funds;

9 (F) programs under the federal Workforce
10 Innovation and Opportunity Act (WIOA) or related
11 workforce programs;

12 (G) programming related to the deployment of and
13 access to broadband and related technology and skills;

14 (H) programs that assist in the development of
15 businesses owned by individuals that are socially and
16 economically disadvantaged; and

17 (I) programs that assist in the development of
18 community infrastructure.

19 (2) To gather information concerning any State or
20 federal program that is designed to revitalize or assist
21 under-resourced or underserved urban areas in the State
22 and to provide this information to public and private
23 entities upon request.

24 (3) To use existing programs of the Department to
25 collaborate with regional economic development
26 professionals hired by the Department to promote and

1 assist in developing urban industrial parks and related
2 economic development.

3 (4) To promote economic parity throughout the State
4 and the autonomy of residents of the State by promoting
5 and assisting the development of the following as it
6 relates to services to and for under-resourced or
7 underserved urban areas of the State:

8 (A) small business development centers;

9 (B) youth employment;

10 (C) small business incubators;

11 (D) family resource centers;

12 (E) urban development banks;

13 (F) self-managed urban businesses; and

14 (G) plans for urban infrastructure projects.

15 (5) To, at its discretion and to the extent
16 practicable, seek guidance from urban public officials,
17 municipalities, metropolitan planning organizations,
18 nonprofits, and other entities to develop recommendations
19 to the Department on economic policies for urban areas and
20 planning models that will result in the revitalization of
21 the economy of under-resourced or underserved urban areas,
22 especially those urban areas where economically and
23 socially disadvantaged people live. These recommendations
24 may include, but are not limited to, recommendations in
25 the areas of:

26 (A) housing;

1 (B) scientific research;

2 (C) urban youth unemployment;

3 (D) business incubators and family resource
4 centers in urban areas; and

5 (E) alternative energy resource development in
6 urban areas as part of the Department's 5-year plan
7 for economic development.

8 (6) To encourage new enterprises to locate in urban
9 areas through educational promotions that emphasize the
10 opportunities in areas identified in the Department's
11 5-year economic development plan and by connecting those
12 enterprises to employees of the Department that specialize
13 in the solicitation of businesses in urban areas, and to
14 do other acts that, in the judgment of the Department, are
15 necessary and proper to foster and promote the economic
16 development and welfare of any urban area. Except as
17 otherwise specifically provided by law, the Department
18 shall have no power to require reports from or to regulate
19 any business.

20 (7) To accept grants, loans, or appropriations from
21 the federal government or the State, or any agency or
22 instrumentality thereof, to be used for any expenses
23 necessary to serve under-resourced or underserved urban
24 areas of the State, including, but not limited to,
25 scientific research, urban youth employment projects,
26 business incubators, urban infrastructure development,

1 alternative energy resource development, food deserts and
2 community food plots, community facilities needed in urban
3 areas, and any other purpose related to the revitalization
4 of and support for urban areas.

5 (c) The Office may use vendors or enter into contracts to
6 carry out the purposes of this Section.

7 (Source: P.A. 103-889, eff. 1-1-25.)

8 (20 ILCS 605/605-400 rep.)

9 Section 7. The Department of Commerce and Economic
10 Opportunity Law of the Civil Administrative Code of Illinois
11 is amended by repealing Section 605-400.

12 Section 10. The Illinois Enterprise Zone Act is amended by
13 changing Sections 12-9 and 12-9 as follows:

14 (20 ILCS 655/12-9) (from Ch. 67 1/2, par. 626)

15 Sec. 12-9. Report. On January 31 ~~January 1~~ of each year,
16 the Department shall report on its operation of the Fund for
17 the preceding fiscal year to the Governor and the General
18 Assembly. For any fiscal year in which no operations are
19 conducted by the Department because no funds were appropriated
20 to the Fund, the report outlined by this Section is not
21 required.

22 (Source: P.A. 102-108, eff. 1-1-22.)

1 Section 13. The Illinois Promotion Act is amended by
2 changing Section 4b as follows:

3 (20 ILCS 665/4b)

4 Sec. 4b. Coordinating Committee. There is created a
5 Coordinating Committee of State agencies involved with tourism
6 in the State of Illinois. The Committee shall consist of the
7 Director of Commerce and Economic Opportunity or his or her
8 designee, as chairman, the Lieutenant Governor or his or her
9 designee, the Secretary of Transportation or his or her
10 designee, and the head executive officer or his or her
11 designee of the following: the Lincoln Presidential Library;
12 the Department of Natural Resources; the Department of
13 Agriculture; the Illinois Arts Council; the Illinois Community
14 College Board; and the Board of Higher Education. The
15 Committee shall also include 4 members of the Illinois General
16 Assembly, one of whom shall be named by the Speaker of the
17 House of Representatives, one of whom shall be named by the
18 Minority Leader of the House of Representatives, one of whom
19 ~~who~~ shall be named by the President of the Senate, and one of
20 whom shall be named by the Minority Leader of the Senate. The
21 Committee shall meet at least quarterly and at other times as
22 called by the chair. The Committee shall coordinate the
23 promotion and development of tourism activities throughout
24 State government.

25 (Source: P.A. 102-278, eff. 8-6-21.)

1 Section 15. The Illinois Power Agency Act is amended by
2 changing Section 1-130 as follows:

3 (20 ILCS 3855/1-130)

4 (Section scheduled to be repealed on January 1, 2028)

5 Sec. 1-130. Home rule preemption.

6 (a) The authorization to impose any new taxes or fees
7 specifically related to the generation of electricity by, the
8 capacity to generate electricity by, or the emissions into the
9 atmosphere by electric generating facilities after the
10 effective date of this Act is an exclusive power and function
11 of the State. A home rule unit may not levy any new taxes or
12 fees specifically related to the generation of electricity by,
13 the capacity to generate electricity by, or the emissions into
14 the atmosphere by electric generating facilities after the
15 effective date of this Act. This Section is a denial and
16 limitation on home rule powers and functions under subsection
17 (g) of Section 6 of Article VII of the Illinois Constitution.

18 (b) This Section is repealed on January 1, 2033. ~~January~~
19 ~~1, 2028.~~

20 (Source: P.A. 103-563, eff. 11-17-23; 103-1059, eff. 12-20-24;
21 104-434, eff. 11-21-25.)

22 (20 ILCS 5075/Act rep.)

23 Section 20. The Opportunities for At-Risk Women Act is

1 repealed.

2 Section 23. The Illinois Council on Women and Girls Act is
3 amended by changing Section 15 as follows:

4 (20 ILCS 5130/15)

5 Sec. 15. The Illinois Council on Women and Girls.

6 (a) There is hereby created the Illinois Council on Women
7 and Girls.

8 (b) The Council shall advise the Governor and the General
9 Assembly on policy issues impacting women and girls in this
10 State, including, but not limited to, the following goals:

11 (1) to advance the role and civic participation of
12 women and girls in this State;

13 (2) to put in place programs and advocate policies
14 that work to end the gender pay gap and discrimination in
15 professional and academic opportunities;

16 (3) to promote resources and opportunities for
17 academic and professional growth;

18 (4) to allow women and young girls to have legal
19 protections and recourse in cases of sexual harassment in
20 the workplace;

21 (5) to prevent and protect women from domestic
22 violence;

23 (6) to provide proper standards of healthcare, and to
24 study the disparate impacts on women as it pertains to

1 diverse demographics;

2 (7) to promote increased access to reproductive health
3 care;

4 (8) to protect women who are transgender from violence
5 and harassment, and increase their fair and equal access
6 to culturally competent health care, housing, employment,
7 and other opportunities;

8 (9) to disseminate information and build relationships
9 between State agencies and commissions in furtherance of
10 the Council's goals under this Act; and

11 (10) to give significant attention to the inclusion of
12 women of color in decision-making capacities and
13 identifying barriers toward parity, and for leadership
14 inclusion that works to realize America's founding
15 principles of equity and opportunity for all.

16 (c) The Council is hereby authorized to create
17 subcommittees. The Council may create a Subcommittee on
18 Opportunities for Women At Risk of Being Justice Impacted. The
19 Subcommittee on Opportunities for Women At Risk of Being
20 Justice Impacted may analyze, without limitation, the
21 following:

22 (1) existing State of Illinois boards, commissions,
23 councils, and task forces, as well as State of Illinois
24 initiatives and programs, that support women at risk of
25 being justice impacted;

26 (2) additional statewide councils managed by the

1 Department of Corrections;

2 (3) all State agencies and offices that help women at
3 risk of being justice impacted;

4 (4) federal, State, and local government offices that
5 help women at risk of being justice impacted through their
6 task forces or programs or that manage corrections and
7 jail facilities;

8 (5) organizations, including non-profits, civic
9 groups, and faith-based organizations, that support women
10 at risk of being justice impacted;

11 (6) colleges and universities that support, through
12 academic research, initiatives, and programs, women at
13 risk of being justice impacted; and

14 (7) additional cross-sector organizational resources.

15 (d) As used in this Section, "women at risk of being
16 justice impacted" means women who are at increased risk of
17 incarceration because of historic injustices that have
18 perpetuated the lack of access to economic opportunities, such
19 as poverty, abuse, addiction, financial challenges,
20 illiteracy, or other causes. The term "women at risk of being
21 justice impacted" includes, but shall not be limited to, women
22 who have previously been incarcerated.

23 (Source: P.A. 100-913, eff. 8-17-18.)

24 Section 25. The Urban Weatherization Initiative Act is
25 amended by changing Sections 40-40 and 40-45 as follows:

1 (30 ILCS 738/40-40)

2 Sec. 40-40. Weatherization Initiative Board.

3 (a) Subject to appropriation, the ~~The~~ Weatherization
4 Initiative Board is created within the Department. The Board
5 must approve or deny all grants from the Fund.

6 (a-5) Notwithstanding any other provision of this Article,
7 the Board has the authority to direct the Department to
8 authorize the awarding of grants to applicants serving areas
9 or populations not included in the target areas and
10 populations set forth in Section 40-25 if the Board determines
11 that there are special circumstances involving the areas or
12 populations served by the applicant.

13 (b) The Board shall consist of 5 voting members appointed
14 by the Governor with the advice and consent of the Senate. The
15 initial members shall have terms as follows as designated by
16 the Governor: one for one year, one for 2 years, one for 3
17 years, one for 4 years, and one for 5 years, or until a
18 successor is appointed and qualified. Thereafter, members
19 shall serve 5-year terms or until a successor is appointed and
20 qualified. The voting members shall elect a voting member to
21 serve as chair for a one-year term. Vacancies shall be filled
22 in the same manner for the balance of a term.

23 (c) The Board shall also have 4 non-voting ex officio
24 members appointed as follows: one Representative appointed by
25 the Speaker of the House, one Representative appointed by the

1 House Minority Leader, one Senator appointed by the President
2 of the Senate, and one Senator appointed by the Senate
3 Minority Leader, each to serve at the pleasure of the
4 appointing authority.

5 (d) Members shall receive no compensation, but may be
6 reimbursed for necessary expenses from appropriations to the
7 Department available for that purpose.

8 (e) The Board may adopt rules under the Illinois
9 Administrative Procedure Act.

10 (f) A quorum of the Board is at least 3 voting members, and
11 the affirmative vote of at least 3 voting members is required
12 for Board decisions and adoption of rules.

13 (g) The Department shall provide staff and administrative
14 assistance to the Board.

15 (h) By January 31 ~~December 31~~ of each year, the Board shall
16 file an annual report with the Governor and the General
17 Assembly concerning the Initiative, grants awarded, and
18 grantees and making recommendations for any changes needed to
19 enhance the effectiveness of the Initiative.

20 (Source: P.A. 96-37, eff. 7-13-09.)

21 Section 30. The Build Illinois Act is amended by changing
22 Sections 9-9 and 10-9 as follows:

23 (30 ILCS 750/9-9) (from Ch. 127, par. 2709-9)

24 Sec. 9-9. Annual Report. On January 31 ~~January 1~~ of each

1 year, the Department shall report on its operations of the
2 Illinois Capital Revolving Loan Fund and the Illinois Equity
3 Fund for the preceding fiscal year to the Governor and the
4 General Assembly.

5 (Source: P.A. 84-109.)

6 (30 ILCS 750/10-9) (from Ch. 127, par. 2710-9)

7 Sec. 10-9. Report. On January 31 ~~January 1~~ of each year,
8 the Department shall report on its operation of the Fund for
9 the preceding fiscal year to the Governor and the General
10 Assembly.

11 (Source: P.A. 84-109.)

12 Section 35. The Illinois Income Tax Act is amended by
13 changing Sections 201, 220, 221, 231, and 242 as follows:

14 (35 ILCS 5/201)

15 Sec. 201. Tax imposed.

16 (a) In general. A tax measured by net income is hereby
17 imposed on every individual, corporation, trust and estate for
18 each taxable year ending after July 31, 1969 on the privilege
19 of earning or receiving income in or as a resident of this
20 State. Such tax shall be in addition to all other occupation or
21 privilege taxes imposed by this State or by any municipal
22 corporation or political subdivision thereof.

23 (b) Rates. The tax imposed by subsection (a) of this

1 Section shall be determined as follows, except as adjusted by
2 subsection (d-1):

3 (1) In the case of an individual, trust or estate, for
4 taxable years ending prior to July 1, 1989, an amount
5 equal to 2 1/2% of the taxpayer's net income for the
6 taxable year.

7 (2) In the case of an individual, trust or estate, for
8 taxable years beginning prior to July 1, 1989 and ending
9 after June 30, 1989, an amount equal to the sum of (i) 2
10 1/2% of the taxpayer's net income for the period prior to
11 July 1, 1989, as calculated under Section 202.3, and (ii)
12 3% of the taxpayer's net income for the period after June
13 30, 1989, as calculated under Section 202.3.

14 (3) In the case of an individual, trust or estate, for
15 taxable years beginning after June 30, 1989, and ending
16 prior to January 1, 2011, an amount equal to 3% of the
17 taxpayer's net income for the taxable year.

18 (4) In the case of an individual, trust, or estate,
19 for taxable years beginning prior to January 1, 2011, and
20 ending after December 31, 2010, an amount equal to the sum
21 of (i) 3% of the taxpayer's net income for the period prior
22 to January 1, 2011, as calculated under Section 202.5, and
23 (ii) 5% of the taxpayer's net income for the period after
24 December 31, 2010, as calculated under Section 202.5.

25 (5) In the case of an individual, trust, or estate,
26 for taxable years beginning on or after January 1, 2011,

1 and ending prior to January 1, 2015, an amount equal to 5%
2 of the taxpayer's net income for the taxable year.

3 (5.1) In the case of an individual, trust, or estate,
4 for taxable years beginning prior to January 1, 2015, and
5 ending after December 31, 2014, an amount equal to the sum
6 of (i) 5% of the taxpayer's net income for the period prior
7 to January 1, 2015, as calculated under Section 202.5, and
8 (ii) 3.75% of the taxpayer's net income for the period
9 after December 31, 2014, as calculated under Section
10 202.5.

11 (5.2) In the case of an individual, trust, or estate,
12 for taxable years beginning on or after January 1, 2015,
13 and ending prior to July 1, 2017, an amount equal to 3.75%
14 of the taxpayer's net income for the taxable year.

15 (5.3) In the case of an individual, trust, or estate,
16 for taxable years beginning prior to July 1, 2017, and
17 ending after June 30, 2017, an amount equal to the sum of
18 (i) 3.75% of the taxpayer's net income for the period
19 prior to July 1, 2017, as calculated under Section 202.5,
20 and (ii) 4.95% of the taxpayer's net income for the period
21 after June 30, 2017, as calculated under Section 202.5.

22 (5.4) In the case of an individual, trust, or estate,
23 for taxable years beginning on or after July 1, 2017, an
24 amount equal to 4.95% of the taxpayer's net income for the
25 taxable year.

26 (6) In the case of a corporation, for taxable years

1 ending prior to July 1, 1989, an amount equal to 4% of the
2 taxpayer's net income for the taxable year.

3 (7) In the case of a corporation, for taxable years
4 beginning prior to July 1, 1989 and ending after June 30,
5 1989, an amount equal to the sum of (i) 4% of the
6 taxpayer's net income for the period prior to July 1,
7 1989, as calculated under Section 202.3, and (ii) 4.8% of
8 the taxpayer's net income for the period after June 30,
9 1989, as calculated under Section 202.3.

10 (8) In the case of a corporation, for taxable years
11 beginning after June 30, 1989, and ending prior to January
12 1, 2011, an amount equal to 4.8% of the taxpayer's net
13 income for the taxable year.

14 (9) In the case of a corporation, for taxable years
15 beginning prior to January 1, 2011, and ending after
16 December 31, 2010, an amount equal to the sum of (i) 4.8%
17 of the taxpayer's net income for the period prior to
18 January 1, 2011, as calculated under Section 202.5, and
19 (ii) 7% of the taxpayer's net income for the period after
20 December 31, 2010, as calculated under Section 202.5.

21 (10) In the case of a corporation, for taxable years
22 beginning on or after January 1, 2011, and ending prior to
23 January 1, 2015, an amount equal to 7% of the taxpayer's
24 net income for the taxable year.

25 (11) In the case of a corporation, for taxable years
26 beginning prior to January 1, 2015, and ending after

1 December 31, 2014, an amount equal to the sum of (i) 7% of
2 the taxpayer's net income for the period prior to January
3 1, 2015, as calculated under Section 202.5, and (ii) 5.25%
4 of the taxpayer's net income for the period after December
5 31, 2014, as calculated under Section 202.5.

6 (12) In the case of a corporation, for taxable years
7 beginning on or after January 1, 2015, and ending prior to
8 July 1, 2017, an amount equal to 5.25% of the taxpayer's
9 net income for the taxable year.

10 (13) In the case of a corporation, for taxable years
11 beginning prior to July 1, 2017, and ending after June 30,
12 2017, an amount equal to the sum of (i) 5.25% of the
13 taxpayer's net income for the period prior to July 1,
14 2017, as calculated under Section 202.5, and (ii) 7% of
15 the taxpayer's net income for the period after June 30,
16 2017, as calculated under Section 202.5.

17 (14) In the case of a corporation, for taxable years
18 beginning on or after July 1, 2017, an amount equal to 7%
19 of the taxpayer's net income for the taxable year.

20 The rates under this subsection (b) are subject to the
21 provisions of Section 201.5.

22 (b-5) Surcharge; sale or exchange of assets, properties,
23 and intangibles of organization gaming licensees. For each of
24 taxable years 2019 through 2027, a surcharge is imposed on all
25 taxpayers on income arising from the sale or exchange of
26 capital assets, depreciable business property, real property

1 used in the trade or business, and Section 197 intangibles (i)
2 of an organization licensee under the Illinois Horse Racing
3 Act of 1975 and (ii) of an organization gaming licensee under
4 the Illinois Gambling Act. The amount of the surcharge is
5 equal to the amount of federal income tax liability for the
6 taxable year attributable to those sales and exchanges. The
7 surcharge imposed shall not apply if:

8 (1) the organization gaming license, organization
9 license, or racetrack property is transferred as a result
10 of any of the following:

11 (A) bankruptcy, a receivership, or a debt
12 adjustment initiated by or against the initial
13 licensee or the substantial owners of the initial
14 licensee;

15 (B) cancellation, revocation, or termination of
16 any such license by the Illinois Gaming Board or the
17 Illinois Racing Board;

18 (C) a determination by the Illinois Gaming Board
19 that transfer of the license is in the best interests
20 of Illinois gaming;

21 (D) the death of an owner of the equity interest in
22 a licensee;

23 (E) the acquisition of a controlling interest in
24 the stock or substantially all of the assets of a
25 publicly traded company;

26 (F) a transfer by a parent company to a wholly

1 owned subsidiary; or

2 (G) the transfer or sale to or by one person to
3 another person where both persons were initial owners
4 of the license when the license was issued; or

5 (2) the controlling interest in the organization
6 gaming license, organization license, or racetrack
7 property is transferred in a transaction to lineal
8 descendants in which no gain or loss is recognized or as a
9 result of a transaction in accordance with Section 351 of
10 the Internal Revenue Code in which no gain or loss is
11 recognized; or

12 (3) live horse racing was not conducted in 2010 at a
13 racetrack located within 3 miles of the Mississippi River
14 under a license issued pursuant to the Illinois Horse
15 Racing Act of 1975.

16 The transfer of an organization gaming license,
17 organization license, or racetrack property by a person other
18 than the initial licensee to receive the organization gaming
19 license is not subject to a surcharge. The Department shall
20 adopt rules necessary to implement and administer this
21 subsection.

22 (c) Personal Property Tax Replacement Income Tax.
23 Beginning on July 1, 1979 and thereafter, in addition to such
24 income tax, there is also hereby imposed the Personal Property
25 Tax Replacement Income Tax measured by net income on every
26 corporation (including Subchapter S corporations), partnership

1 and trust, for each taxable year ending after June 30, 1979.
2 Such taxes are imposed on the privilege of earning or
3 receiving income in or as a resident of this State. The
4 Personal Property Tax Replacement Income Tax shall be in
5 addition to the income tax imposed by subsections (a) and (b)
6 of this Section and in addition to all other occupation or
7 privilege taxes imposed by this State or by any municipal
8 corporation or political subdivision thereof.

9 (d) Additional Personal Property Tax Replacement Income
10 Tax Rates. The personal property tax replacement income tax
11 imposed by this subsection and subsection (c) of this Section
12 in the case of a corporation, other than a Subchapter S
13 corporation and except as adjusted by subsection (d-1), shall
14 be an additional amount equal to 2.85% of such taxpayer's net
15 income for the taxable year, except that beginning on January
16 1, 1981, and thereafter, the rate of 2.85% specified in this
17 subsection shall be reduced to 2.5%, and in the case of a
18 partnership, trust or a Subchapter S corporation shall be an
19 additional amount equal to 1.5% of such taxpayer's net income
20 for the taxable year.

21 (d-1) Rate reduction for certain foreign insurers. In the
22 case of a foreign insurer, as defined by Section 35A-5 of the
23 Illinois Insurance Code, whose state or country of domicile
24 imposes on insurers domiciled in Illinois a retaliatory tax
25 (excluding any insurer whose premiums from reinsurance assumed
26 are 50% or more of its total insurance premiums as determined

1 under paragraph (2) of subsection (b) of Section 304, except
2 that for purposes of this determination premiums from
3 reinsurance do not include premiums from inter-affiliate
4 reinsurance arrangements), beginning with taxable years ending
5 on or after December 31, 1999, the sum of the rates of tax
6 imposed by subsections (b) and (d) shall be reduced (but not
7 increased) to the rate at which the total amount of tax imposed
8 under this Act, net of all credits allowed under this Act,
9 shall equal (i) the total amount of tax that would be imposed
10 on the foreign insurer's net income allocable to Illinois for
11 the taxable year by such foreign insurer's state or country of
12 domicile if that net income were subject to all income taxes
13 and taxes measured by net income imposed by such foreign
14 insurer's state or country of domicile, net of all credits
15 allowed or (ii) a rate of zero if no such tax is imposed on
16 such income by the foreign insurer's state of domicile. For
17 the purposes of this subsection (d-1), an inter-affiliate
18 includes a mutual insurer under common management.

19 (1) For the purposes of subsection (d-1), in no event
20 shall the sum of the rates of tax imposed by subsections
21 (b) and (d) be reduced below the rate at which the sum of:

22 (A) the total amount of tax imposed on such
23 foreign insurer under this Act for a taxable year, net
24 of all credits allowed under this Act, plus

25 (B) the privilege tax imposed by Section 409 of
26 the Illinois Insurance Code, the fire insurance

1 company tax imposed by Section 12 of the Fire
2 Investigation Act, and the fire department taxes
3 imposed under Section 11-10-1 of the Illinois
4 Municipal Code,

5 equals 1.25% for taxable years ending prior to December
6 31, 2003, or 1.75% for taxable years ending on or after
7 December 31, 2003, of the net taxable premiums written for
8 the taxable year, as described by subsection (1) of
9 Section 409 of the Illinois Insurance Code. This paragraph
10 will in no event increase the rates imposed under
11 subsections (b) and (d).

12 (2) Any reduction in the rates of tax imposed by this
13 subsection shall be applied first against the rates
14 imposed by subsection (b) and only after the tax imposed
15 by subsection (a) net of all credits allowed under this
16 Section other than the credit allowed under subsection (i)
17 has been reduced to zero, against the rates imposed by
18 subsection (d).

19 This subsection (d-1) is exempt from the provisions of
20 Section 250.

21 (e) Investment credit. A taxpayer shall be allowed a
22 credit against the Personal Property Tax Replacement Income
23 Tax for investment in qualified property.

24 (1) A taxpayer shall be allowed a credit equal to .5%
25 of the basis of qualified property placed in service
26 during the taxable year, provided such property is placed

1 in service on or after July 1, 1984. There shall be allowed
2 an additional credit equal to .5% of the basis of
3 qualified property placed in service during the taxable
4 year, provided such property is placed in service on or
5 after July 1, 1986, and the taxpayer's base employment
6 within Illinois has increased by 1% or more over the
7 preceding year as determined by the taxpayer's employment
8 records filed with the Illinois Department of Employment
9 Security. Taxpayers who are new to Illinois shall be
10 deemed to have met the 1% growth in base employment for the
11 first year in which they file employment records with the
12 Illinois Department of Employment Security. The provisions
13 added to this Section by Public Act 85-1200 (and restored
14 by Public Act 87-895) shall be construed as declaratory of
15 existing law and not as a new enactment. If, in any year,
16 the increase in base employment within Illinois over the
17 preceding year is less than 1%, the additional credit
18 shall be limited to that percentage times a fraction, the
19 numerator of which is .5% and the denominator of which is
20 1%, but shall not exceed .5%. The investment credit shall
21 not be allowed to the extent that it would reduce a
22 taxpayer's liability in any tax year below zero, nor may
23 any credit for qualified property be allowed for any year
24 other than the year in which the property was placed in
25 service in Illinois. For tax years ending on or after
26 December 31, 1987, and on or before December 31, 1988, the

1 credit shall be allowed for the tax year in which the
2 property is placed in service, or, if the amount of the
3 credit exceeds the tax liability for that year, whether it
4 exceeds the original liability or the liability as later
5 amended, such excess may be carried forward and applied to
6 the tax liability of the 5 taxable years following the
7 excess credit years if the taxpayer (i) makes investments
8 which cause the creation of a minimum of 2,000 full-time
9 equivalent jobs in Illinois, (ii) is located in an
10 enterprise zone established pursuant to the Illinois
11 Enterprise Zone Act and (iii) is certified by the
12 Department of Commerce and Community Affairs (now
13 Department of Commerce and Economic Opportunity) as
14 complying with the requirements specified in clause (i)
15 and (ii) by July 1, 1986. The Department of Commerce and
16 Community Affairs (now Department of Commerce and Economic
17 Opportunity) shall notify the Department of Revenue of all
18 such certifications immediately. For tax years ending
19 after December 31, 1988, the credit shall be allowed for
20 the tax year in which the property is placed in service,
21 or, if the amount of the credit exceeds the tax liability
22 for that year, whether it exceeds the original liability
23 or the liability as later amended, such excess may be
24 carried forward and applied to the tax liability of the 5
25 taxable years following the excess credit years. The
26 credit shall be applied to the earliest year for which

1 there is a liability. If there is credit from more than one
2 tax year that is available to offset a liability, earlier
3 credit shall be applied first.

4 (2) The term "qualified property" means property
5 which:

6 (A) is tangible, whether new or used, including
7 buildings and structural components of buildings and
8 signs that are real property, but not including land
9 or improvements to real property that are not a
10 structural component of a building such as
11 landscaping, sewer lines, local access roads, fencing,
12 parking lots, and other appurtenances;

13 (B) is depreciable pursuant to Section 167 of the
14 Internal Revenue Code, except that "3-year property"
15 as defined in Section 168(c)(2)(A) of that Code is not
16 eligible for the credit provided by this subsection
17 (e);

18 (C) is acquired by purchase as defined in Section
19 179(d) of the Internal Revenue Code;

20 (D) is used in Illinois by a taxpayer who is
21 primarily engaged in manufacturing, or in mining coal
22 or fluorite, or in retailing, or was placed in service
23 on or after July 1, 2006 in a River Edge Redevelopment
24 Zone established pursuant to the River Edge
25 Redevelopment Zone Act; and

26 (E) has not previously been used in Illinois in

1 such a manner and by such a person as would qualify for
2 the credit provided by this subsection (e) or
3 subsection (f).

4 (3) For purposes of this subsection (e),
5 "manufacturing" means the material staging and production
6 of tangible personal property by procedures commonly
7 regarded as manufacturing, processing, fabrication, or
8 assembling which changes some existing material into new
9 shapes, new qualities, or new combinations. For purposes
10 of this subsection (e) the term "mining" shall have the
11 same meaning as the term "mining" in Section 613(c) of the
12 Internal Revenue Code. For purposes of this subsection
13 (e), the term "retailing" means the sale of tangible
14 personal property for use or consumption and not for
15 resale, or services rendered in conjunction with the sale
16 of tangible personal property for use or consumption and
17 not for resale. For purposes of this subsection (e),
18 "tangible personal property" has the same meaning as when
19 that term is used in the Retailers' Occupation Tax Act,
20 and, for taxable years ending after December 31, 2008,
21 does not include the generation, transmission, or
22 distribution of electricity.

23 (4) The basis of qualified property shall be the basis
24 used to compute the depreciation deduction for federal
25 income tax purposes.

26 (5) If the basis of the property for federal income

1 tax depreciation purposes is increased after it has been
2 placed in service in Illinois by the taxpayer, the amount
3 of such increase shall be deemed property placed in
4 service on the date of such increase in basis.

5 (6) The term "placed in service" shall have the same
6 meaning as under Section 46 of the Internal Revenue Code.

7 (7) If during any taxable year, any property ceases to
8 be qualified property in the hands of the taxpayer within
9 48 months after being placed in service, or the situs of
10 any qualified property is moved outside Illinois within 48
11 months after being placed in service, the Personal
12 Property Tax Replacement Income Tax for such taxable year
13 shall be increased. Such increase shall be determined by
14 (i) recomputing the investment credit which would have
15 been allowed for the year in which credit for such
16 property was originally allowed by eliminating such
17 property from such computation and, (ii) subtracting such
18 recomputed credit from the amount of credit previously
19 allowed. For the purposes of this paragraph (7), a
20 reduction of the basis of qualified property resulting
21 from a redetermination of the purchase price shall be
22 deemed a disposition of qualified property to the extent
23 of such reduction.

24 (8) Unless the investment credit is extended by law,
25 the basis of qualified property shall not include costs
26 incurred after December 31, 2018, except for costs

1 incurred pursuant to a binding contract entered into on or
2 before December 31, 2018.

3 (9) Each taxable year ending before December 31, 2000,
4 a partnership may elect to pass through to its partners
5 the credits to which the partnership is entitled under
6 this subsection (e) for the taxable year. A partner may
7 use the credit allocated to him or her under this
8 paragraph only against the tax imposed in subsections (c)
9 and (d) of this Section. If the partnership makes that
10 election, those credits shall be allocated among the
11 partners in the partnership in accordance with the rules
12 set forth in Section 704(b) of the Internal Revenue Code,
13 and the rules promulgated under that Section, and the
14 allocated amount of the credits shall be allowed to the
15 partners for that taxable year. The partnership shall make
16 this election on its Personal Property Tax Replacement
17 Income Tax return for that taxable year. The election to
18 pass through the credits shall be irrevocable.

19 For taxable years ending on or after December 31,
20 2000, a partner that qualifies its partnership for a
21 subtraction under subparagraph (I) of paragraph (2) of
22 subsection (d) of Section 203 or a shareholder that
23 qualifies a Subchapter S corporation for a subtraction
24 under subparagraph (S) of paragraph (2) of subsection (b)
25 of Section 203 shall be allowed a credit under this
26 subsection (e) equal to its share of the credit earned

1 under this subsection (e) during the taxable year by the
2 partnership or Subchapter S corporation, determined in
3 accordance with the determination of income and
4 distributive share of income under Sections 702 and 704
5 and Subchapter S of the Internal Revenue Code. This
6 paragraph is exempt from the provisions of Section 250.

7 (f) Investment credit; Enterprise Zone; River Edge
8 Redevelopment Zone.

9 (1) A taxpayer shall be allowed a credit against the
10 tax imposed by subsections (a) and (b) of this Section for
11 investment in qualified property which is placed in
12 service in an Enterprise Zone created pursuant to the
13 Illinois Enterprise Zone Act or, for property placed in
14 service on or after July 1, 2006, a River Edge
15 Redevelopment Zone established pursuant to the River Edge
16 Redevelopment Zone Act. For partners, shareholders of
17 Subchapter S corporations, and owners of limited liability
18 companies, if the liability company is treated as a
19 partnership for purposes of federal and State income
20 taxation, for taxable years ending before December 31,
21 2023, there shall be allowed a credit under this
22 subsection (f) to be determined in accordance with the
23 determination of income and distributive share of income
24 under Sections 702 and 704 and Subchapter S of the
25 Internal Revenue Code. For taxable years ending on or
26 after December 31, 2023, for partners and shareholders of

1 Subchapter S corporations, the provisions of Section 251
2 shall apply with respect to the credit under this
3 subsection. The credit shall be .5% of the basis for such
4 property. The credit shall be available only in the
5 taxable year in which the property is placed in service in
6 the Enterprise Zone or River Edge Redevelopment Zone and
7 shall not be allowed to the extent that it would reduce a
8 taxpayer's liability for the tax imposed by subsections
9 (a) and (b) of this Section to below zero. For tax years
10 ending on or after December 31, 1985, the credit shall be
11 allowed for the tax year in which the property is placed in
12 service, or, if the amount of the credit exceeds the tax
13 liability for that year, whether it exceeds the original
14 liability or the liability as later amended, such excess
15 may be carried forward and applied to the tax liability of
16 the 5 taxable years following the excess credit year. The
17 credit shall be applied to the earliest year for which
18 there is a liability. If there is credit from more than one
19 tax year that is available to offset a liability, the
20 credit accruing first in time shall be applied first.

21 (2) The term qualified property means property which:

22 (A) is tangible, whether new or used, including
23 buildings and structural components of buildings;

24 (B) is depreciable pursuant to Section 167 of the
25 Internal Revenue Code, except that "3-year property"
26 as defined in Section 168(c) (2) (A) of that Code is not

1 eligible for the credit provided by this subsection
2 (f);

3 (C) is acquired by purchase as defined in Section
4 179(d) of the Internal Revenue Code;

5 (D) is used in the Enterprise Zone or River Edge
6 Redevelopment Zone by the taxpayer; and

7 (E) has not been previously used in Illinois in
8 such a manner and by such a person as would qualify for
9 the credit provided by this subsection (f) or
10 subsection (e).

11 (3) The basis of qualified property shall be the basis
12 used to compute the depreciation deduction for federal
13 income tax purposes.

14 (4) If the basis of the property for federal income
15 tax depreciation purposes is increased after it has been
16 placed in service in the Enterprise Zone or River Edge
17 Redevelopment Zone by the taxpayer, the amount of such
18 increase shall be deemed property placed in service on the
19 date of such increase in basis.

20 (5) The term "placed in service" shall have the same
21 meaning as under Section 46 of the Internal Revenue Code.

22 (6) If during any taxable year, any property ceases to
23 be qualified property in the hands of the taxpayer within
24 48 months after being placed in service, or the situs of
25 any qualified property is moved outside the Enterprise
26 Zone or River Edge Redevelopment Zone within 48 months

1 after being placed in service, the tax imposed under
2 subsections (a) and (b) of this Section for such taxable
3 year shall be increased. Such increase shall be determined
4 by (i) recomputing the investment credit which would have
5 been allowed for the year in which credit for such
6 property was originally allowed by eliminating such
7 property from such computation, and (ii) subtracting such
8 recomputed credit from the amount of credit previously
9 allowed. For the purposes of this paragraph (6), a
10 reduction of the basis of qualified property resulting
11 from a redetermination of the purchase price shall be
12 deemed a disposition of qualified property to the extent
13 of such reduction.

14 (7) There shall be allowed an additional credit equal
15 to 0.5% of the basis of qualified property placed in
16 service during the taxable year in a River Edge
17 Redevelopment Zone, provided such property is placed in
18 service on or after July 1, 2006, and the taxpayer's base
19 employment within Illinois has increased by 1% or more
20 over the preceding year as determined by the taxpayer's
21 employment records filed with the Illinois Department of
22 Employment Security. Taxpayers who are new to Illinois
23 shall be deemed to have met the 1% growth in base
24 employment for the first year in which they file
25 employment records with the Illinois Department of
26 Employment Security. If, in any year, the increase in base

1 employment within Illinois over the preceding year is less
2 than 1%, the additional credit shall be limited to that
3 percentage times a fraction, the numerator of which is
4 0.5% and the denominator of which is 1%, but shall not
5 exceed 0.5%.

6 (8) For taxable years beginning on or after January 1,
7 2021, there shall be allowed an Enterprise Zone
8 construction jobs credit against the taxes imposed under
9 subsections (a) and (b) of this Section as provided in
10 Section 13 of the Illinois Enterprise Zone Act.

11 The credit or credits may not reduce the taxpayer's
12 liability to less than zero. If the amount of the credit or
13 credits exceeds the taxpayer's liability, the excess may
14 be carried forward and applied against the taxpayer's
15 liability in succeeding calendar years in the same manner
16 provided under paragraph (4) of Section 211 of this Act.
17 The credit or credits shall be applied to the earliest
18 year for which there is a tax liability. If there are
19 credits from more than one taxable year that are available
20 to offset a liability, the earlier credit shall be applied
21 first.

22 For partners, shareholders of Subchapter S
23 corporations, and owners of limited liability companies,
24 if the liability company is treated as a partnership for
25 the purposes of federal and State income taxation, for
26 taxable years ending before December 31, 2023, there shall

1 be allowed a credit under this Section to be determined in
2 accordance with the determination of income and
3 distributive share of income under Sections 702 and 704
4 and Subchapter S of the Internal Revenue Code. For taxable
5 years ending on or after December 31, 2023, for partners
6 and shareholders of Subchapter S corporations, the
7 provisions of Section 251 shall apply with respect to the
8 credit under this subsection.

9 The total aggregate amount of credits awarded under
10 the Blue Collar Jobs Act (Article 20 of Public Act 101-9)
11 shall not exceed \$20,000,000 in any State fiscal year.

12 This paragraph (8) is exempt from the provisions of
13 Section 250.

14 (g) (Blank).

15 (h) Investment credit; High Impact Business.

16 (1) Subject to subsections (b) and (b-5) of Section
17 5.5 of the Illinois Enterprise Zone Act, a taxpayer shall
18 be allowed a credit against the tax imposed by subsections
19 (a) and (b) of this Section for investment in qualified
20 property which is placed in service by a Department of
21 Commerce and Economic Opportunity designated High Impact
22 Business. The credit shall be .5% of the basis for such
23 property. The credit shall not be available (i) until the
24 minimum investments in qualified property set forth in
25 subdivision (a) (3) (A) of Section 5.5 of the Illinois
26 Enterprise Zone Act have been satisfied or (ii) until the

1 time authorized in subsection (b-5) of the Illinois
2 Enterprise Zone Act for entities designated as High Impact
3 Businesses under subdivisions (a)(3)(B), (a)(3)(C), and
4 (a)(3)(D) of Section 5.5 of the Illinois Enterprise Zone
5 Act, and shall not be allowed to the extent that it would
6 reduce a taxpayer's liability for the tax imposed by
7 subsections (a) and (b) of this Section to below zero. The
8 credit applicable to such investments shall be taken in
9 the taxable year in which such investments have been
10 completed. The credit for additional investments beyond
11 the minimum investment by a designated high impact
12 business authorized under subdivision (a)(3)(A) of Section
13 5.5 of the Illinois Enterprise Zone Act shall be available
14 only in the taxable year in which the property is placed in
15 service and shall not be allowed to the extent that it
16 would reduce a taxpayer's liability for the tax imposed by
17 subsections (a) and (b) of this Section to below zero. For
18 tax years ending on or after December 31, 1987, the credit
19 shall be allowed for the tax year in which the property is
20 placed in service, or, if the amount of the credit exceeds
21 the tax liability for that year, whether it exceeds the
22 original liability or the liability as later amended, such
23 excess may be carried forward and applied to the tax
24 liability of the 5 taxable years following the excess
25 credit year. The credit shall be applied to the earliest
26 year for which there is a liability. If there is credit

1 from more than one tax year that is available to offset a
2 liability, the credit accruing first in time shall be
3 applied first.

4 Changes made in this subdivision (h) (1) by Public Act
5 88-670 restore changes made by Public Act 85-1182 and
6 reflect existing law.

7 (2) The term qualified property means property which:

8 (A) is tangible, whether new or used, including
9 buildings and structural components of buildings;

10 (B) is depreciable pursuant to Section 167 of the
11 Internal Revenue Code, except that "3-year property"
12 as defined in Section 168(c) (2) (A) of that Code is not
13 eligible for the credit provided by this subsection
14 (h);

15 (C) is acquired by purchase as defined in Section
16 179(d) of the Internal Revenue Code; and

17 (D) is not eligible for the Enterprise Zone
18 Investment Credit provided by subsection (f) of this
19 Section.

20 (3) The basis of qualified property shall be the basis
21 used to compute the depreciation deduction for federal
22 income tax purposes.

23 (4) If the basis of the property for federal income
24 tax depreciation purposes is increased after it has been
25 placed in service in a federally designated Foreign Trade
26 Zone or Sub-Zone located in Illinois by the taxpayer, the

1 amount of such increase shall be deemed property placed in
2 service on the date of such increase in basis.

3 (5) The term "placed in service" shall have the same
4 meaning as under Section 46 of the Internal Revenue Code.

5 (6) If during any taxable year ending on or before
6 December 31, 1996, any property ceases to be qualified
7 property in the hands of the taxpayer within 48 months
8 after being placed in service, or the situs of any
9 qualified property is moved outside Illinois within 48
10 months after being placed in service, the tax imposed
11 under subsections (a) and (b) of this Section for such
12 taxable year shall be increased. Such increase shall be
13 determined by (i) recomputing the investment credit which
14 would have been allowed for the year in which credit for
15 such property was originally allowed by eliminating such
16 property from such computation, and (ii) subtracting such
17 recomputed credit from the amount of credit previously
18 allowed. For the purposes of this paragraph (6), a
19 reduction of the basis of qualified property resulting
20 from a redetermination of the purchase price shall be
21 deemed a disposition of qualified property to the extent
22 of such reduction.

23 (7) Beginning with tax years ending after December 31,
24 1996, if a taxpayer qualifies for the credit under this
25 subsection (h) and thereby is granted a tax abatement and
26 the taxpayer relocates its entire facility in violation of

1 the explicit terms and length of the contract under
2 Section 18-183 of the Property Tax Code, the tax imposed
3 under subsections (a) and (b) of this Section shall be
4 increased for the taxable year in which the taxpayer
5 relocated its facility by an amount equal to the amount of
6 credit received by the taxpayer under this subsection (h).

7 (h-5) High Impact Business construction jobs credit. For
8 taxable years beginning on or after January 1, 2021, there
9 shall also be allowed a High Impact Business construction jobs
10 credit against the tax imposed under subsections (a) and (b)
11 of this Section as provided in subsections (i) and (j) of
12 Section 5.5 of the Illinois Enterprise Zone Act.

13 The credit or credits may not reduce the taxpayer's
14 liability to less than zero. If the amount of the credit or
15 credits exceeds the taxpayer's liability, the excess may be
16 carried forward and applied against the taxpayer's liability
17 in succeeding calendar years in the manner provided under
18 paragraph (4) of Section 211 of this Act. The credit or credits
19 shall be applied to the earliest year for which there is a tax
20 liability. If there are credits from more than one taxable
21 year that are available to offset a liability, the earlier
22 credit shall be applied first.

23 For partners, shareholders of Subchapter S corporations,
24 and owners of limited liability companies, for taxable years
25 ending before December 31, 2023, if the liability company is
26 treated as a partnership for the purposes of federal and State

1 income taxation, there shall be allowed a credit under this
2 Section to be determined in accordance with the determination
3 of income and distributive share of income under Sections 702
4 and 704 and Subchapter S of the Internal Revenue Code. For
5 taxable years ending on or after December 31, 2023, for
6 partners and shareholders of Subchapter S corporations, the
7 provisions of Section 251 shall apply with respect to the
8 credit under this subsection.

9 The total aggregate amount of credits awarded under the
10 Blue Collar Jobs Act (Article 20 of Public Act 101-9) shall not
11 exceed \$20,000,000 in any State fiscal year.

12 This subsection (h-5) is exempt from the provisions of
13 Section 250.

14 (i) Credit for Personal Property Tax Replacement Income
15 Tax. For tax years ending prior to December 31, 2003, a credit
16 shall be allowed against the tax imposed by subsections (a)
17 and (b) of this Section for the tax imposed by subsections (c)
18 and (d) of this Section. This credit shall be computed by
19 multiplying the tax imposed by subsections (c) and (d) of this
20 Section by a fraction, the numerator of which is base income
21 allocable to Illinois and the denominator of which is Illinois
22 base income, and further multiplying the product by the tax
23 rate imposed by subsections (a) and (b) of this Section.

24 Any credit earned on or after December 31, 1986 under this
25 subsection which is unused in the year the credit is computed
26 because it exceeds the tax liability imposed by subsections

1 (a) and (b) for that year (whether it exceeds the original
2 liability or the liability as later amended) may be carried
3 forward and applied to the tax liability imposed by
4 subsections (a) and (b) of the 5 taxable years following the
5 excess credit year, provided that no credit may be carried
6 forward to any year ending on or after December 31, 2003. This
7 credit shall be applied first to the earliest year for which
8 there is a liability. If there is a credit under this
9 subsection from more than one tax year that is available to
10 offset a liability the earliest credit arising under this
11 subsection shall be applied first.

12 If, during any taxable year ending on or after December
13 31, 1986, the tax imposed by subsections (c) and (d) of this
14 Section for which a taxpayer has claimed a credit under this
15 subsection (i) is reduced, the amount of credit for such tax
16 shall also be reduced. Such reduction shall be determined by
17 recomputing the credit to take into account the reduced tax
18 imposed by subsections (c) and (d). If any portion of the
19 reduced amount of credit has been carried to a different
20 taxable year, an amended return shall be filed for such
21 taxable year to reduce the amount of credit claimed.

22 (j) Training expense credit. Beginning with tax years
23 ending on or after December 31, 1986 and prior to December 31,
24 2003, a taxpayer shall be allowed a credit against the tax
25 imposed by subsections (a) and (b) under this Section for all
26 amounts paid or accrued, on behalf of all persons employed by

1 the taxpayer in Illinois or Illinois residents employed
2 outside of Illinois by a taxpayer, for educational or
3 vocational training in semi-technical or technical fields or
4 semi-skilled or skilled fields, which were deducted from gross
5 income in the computation of taxable income. The credit
6 against the tax imposed by subsections (a) and (b) shall be
7 1.6% of such training expenses. For partners, shareholders of
8 subchapter S corporations, and owners of limited liability
9 companies, if the liability company is treated as a
10 partnership for purposes of federal and State income taxation,
11 for taxable years ending before December 31, 2023, there shall
12 be allowed a credit under this subsection (j) to be determined
13 in accordance with the determination of income and
14 distributive share of income under Sections 702 and 704 and
15 subchapter S of the Internal Revenue Code. For taxable years
16 ending on or after December 31, 2023, for partners and
17 shareholders of Subchapter S corporations, the provisions of
18 Section 251 shall apply with respect to the credit under this
19 subsection.

20 Any credit allowed under this subsection which is unused
21 in the year the credit is earned may be carried forward to each
22 of the 5 taxable years following the year for which the credit
23 is first computed until it is used. This credit shall be
24 applied first to the earliest year for which there is a
25 liability. If there is a credit under this subsection from
26 more than one tax year that is available to offset a liability,

1 the earliest credit arising under this subsection shall be
2 applied first. No carryforward credit may be claimed in any
3 tax year ending on or after December 31, 2003.

4 (k) Research and development credit. For tax years ending
5 after July 1, 1990 and prior to December 31, 2003, and
6 beginning again for tax years ending on or after December 31,
7 2004, and ending prior to January 1, 2037 ~~January 1, 2032~~, a
8 taxpayer shall be allowed a credit against the tax imposed by
9 subsections (a) and (b) of this Section for increasing
10 research activities in this State. The credit allowed against
11 the tax imposed by subsections (a) and (b) shall be equal to 6
12 1/2% of the qualifying expenditures for increasing research
13 activities in this State. For partners, shareholders of
14 subchapter S corporations, and owners of limited liability
15 companies, if the liability company is treated as a
16 partnership for purposes of federal and State income taxation,
17 for taxable years ending before December 31, 2023, there shall
18 be allowed a credit under this subsection to be determined in
19 accordance with the determination of income and distributive
20 share of income under Sections 702 and 704 and subchapter S of
21 the Internal Revenue Code. For taxable years ending on or
22 after December 31, 2023, for partners and shareholders of
23 Subchapter S corporations, the provisions of Section 251 shall
24 apply with respect to the credit under this subsection.

25 For purposes of this subsection, "qualifying expenditures"
26 means the qualifying expenditures as defined for the federal

1 credit for increasing research activities which would be
2 allowable under Section 41 of the Internal Revenue Code and
3 which are conducted in this State, "qualifying expenditures
4 for increasing research activities in this State" means the
5 excess of qualifying expenditures for the taxable year in
6 which incurred over qualifying expenditures for the base
7 period, "qualifying expenditures for the base period" means
8 the average of the qualifying expenditures for each year in
9 the base period, and "base period" means the 3 taxable years
10 immediately preceding the taxable year for which the
11 determination is being made.

12 Any credit in excess of the tax liability for the taxable
13 year may be carried forward. A taxpayer may elect to have the
14 unused credit shown on its final completed return carried over
15 as a credit against the tax liability for the following 5
16 taxable years or until it has been fully used, whichever
17 occurs first; provided that no credit earned in a tax year
18 ending prior to December 31, 2003 may be carried forward to any
19 year ending on or after December 31, 2003.

20 If an unused credit is carried forward to a given year from
21 2 or more earlier years, that credit arising in the earliest
22 year will be applied first against the tax liability for the
23 given year. If a tax liability for the given year still
24 remains, the credit from the next earliest year will then be
25 applied, and so on, until all credits have been used or no tax
26 liability for the given year remains. Any remaining unused

1 credit or credits then will be carried forward to the next
2 following year in which a tax liability is incurred, except
3 that no credit can be carried forward to a year which is more
4 than 5 years after the year in which the expense for which the
5 credit is given was incurred.

6 No inference shall be drawn from Public Act 91-644 in
7 construing this Section for taxable years beginning before
8 January 1, 1999.

9 It is the intent of the General Assembly that the research
10 and development credit under this subsection (k) shall apply
11 continuously for all tax years ending on or after December 31,
12 2004 and ending prior to January 1, 2037 ~~January 1, 2032~~,
13 including, but not limited to, the period beginning on January
14 1, 2016 and ending on July 6, 2017 (the effective date of
15 Public Act 100-22). All actions taken in reliance on the
16 continuation of the credit under this subsection (k) by any
17 taxpayer are hereby validated.

18 (l) Environmental Remediation Tax Credit.

19 (i) For tax years ending after December 31, 1997 and
20 on or before December 31, 2001, a taxpayer shall be
21 allowed a credit against the tax imposed by subsections
22 (a) and (b) of this Section for certain amounts paid for
23 unreimbursed eligible remediation costs, as specified in
24 this subsection. For purposes of this Section,
25 "unreimbursed eligible remediation costs" means costs
26 approved by the Illinois Environmental Protection Agency

1 ("Agency") under Section 58.14 of the Environmental
2 Protection Act that were paid in performing environmental
3 remediation at a site for which a No Further Remediation
4 Letter was issued by the Agency and recorded under Section
5 58.10 of the Environmental Protection Act. The credit must
6 be claimed for the taxable year in which Agency approval
7 of the eligible remediation costs is granted. The credit
8 is not available to any taxpayer if the taxpayer or any
9 related party caused or contributed to, in any material
10 respect, a release of regulated substances on, in, or
11 under the site that was identified and addressed by the
12 remedial action pursuant to the Site Remediation Program
13 of the Environmental Protection Act. After the Pollution
14 Control Board rules are adopted pursuant to the Illinois
15 Administrative Procedure Act for the administration and
16 enforcement of Section 58.9 of the Environmental
17 Protection Act, determinations as to credit availability
18 for purposes of this Section shall be made consistent with
19 those rules. For purposes of this Section, "taxpayer"
20 includes a person whose tax attributes the taxpayer has
21 succeeded to under Section 381 of the Internal Revenue
22 Code and "related party" includes the persons disallowed a
23 deduction for losses by paragraphs (b), (c), and (f)(1) of
24 Section 267 of the Internal Revenue Code by virtue of
25 being a related taxpayer, as well as any of its partners.
26 The credit allowed against the tax imposed by subsections

1 (a) and (b) shall be equal to 25% of the unreimbursed
2 eligible remediation costs in excess of \$100,000 per site,
3 except that the \$100,000 threshold shall not apply to any
4 site contained in an enterprise zone as determined by the
5 Department of Commerce and Community Affairs (now
6 Department of Commerce and Economic Opportunity). The
7 total credit allowed shall not exceed \$40,000 per year
8 with a maximum total of \$150,000 per site. For partners
9 and shareholders of subchapter S corporations, there shall
10 be allowed a credit under this subsection to be determined
11 in accordance with the determination of income and
12 distributive share of income under Sections 702 and 704
13 and subchapter S of the Internal Revenue Code.

14 (ii) A credit allowed under this subsection that is
15 unused in the year the credit is earned may be carried
16 forward to each of the 5 taxable years following the year
17 for which the credit is first earned until it is used. The
18 term "unused credit" does not include any amounts of
19 unreimbursed eligible remediation costs in excess of the
20 maximum credit per site authorized under paragraph (i).
21 This credit shall be applied first to the earliest year
22 for which there is a liability. If there is a credit under
23 this subsection from more than one tax year that is
24 available to offset a liability, the earliest credit
25 arising under this subsection shall be applied first. A
26 credit allowed under this subsection may be sold to a

1 buyer as part of a sale of all or part of the remediation
2 site for which the credit was granted. The purchaser of a
3 remediation site and the tax credit shall succeed to the
4 unused credit and remaining carry-forward period of the
5 seller. To perfect the transfer, the assignor shall record
6 the transfer in the chain of title for the site and provide
7 written notice to the Director of the Illinois Department
8 of Revenue of the assignor's intent to sell the
9 remediation site and the amount of the tax credit to be
10 transferred as a portion of the sale. In no event may a
11 credit be transferred to any taxpayer if the taxpayer or a
12 related party would not be eligible under the provisions
13 of subsection (i).

14 (iii) For purposes of this Section, the term "site"
15 shall have the same meaning as under Section 58.2 of the
16 Environmental Protection Act.

17 (m) Education expense credit. Beginning with tax years
18 ending after December 31, 1999, a taxpayer who is the
19 custodian of one or more qualifying pupils shall be allowed a
20 credit against the tax imposed by subsections (a) and (b) of
21 this Section for qualified education expenses incurred on
22 behalf of the qualifying pupils. The credit shall be equal to
23 25% of qualified education expenses, but in no event may the
24 total credit under this subsection claimed by a family that is
25 the custodian of qualifying pupils exceed (i) \$500 for tax
26 years ending prior to December 31, 2017, and (ii) \$750 for tax

1 years ending on or after December 31, 2017. In no event shall a
2 credit under this subsection reduce the taxpayer's liability
3 under this Act to less than zero. Notwithstanding any other
4 provision of law, for taxable years beginning on or after
5 January 1, 2017, no taxpayer may claim a credit under this
6 subsection (m) if the taxpayer's adjusted gross income for the
7 taxable year exceeds (i) \$500,000, in the case of spouses
8 filing a joint federal tax return or (ii) \$250,000, in the case
9 of all other taxpayers. This subsection is exempt from the
10 provisions of Section 250 of this Act.

11 For purposes of this subsection:

12 "Qualifying pupils" means individuals who (i) are
13 residents of the State of Illinois, (ii) are under the age of
14 21 at the close of the school year for which a credit is
15 sought, and (iii) during the school year for which a credit is
16 sought were full-time pupils enrolled in a kindergarten
17 through twelfth grade education program at any school, as
18 defined in this subsection.

19 "Qualified education expense" means the amount incurred on
20 behalf of a qualifying pupil in excess of \$250 for tuition,
21 book fees, and lab fees at the school in which the pupil is
22 enrolled during the regular school year.

23 "School" means any public or nonpublic elementary or
24 secondary school in Illinois that is in compliance with Title
25 VI of the Civil Rights Act of 1964 and attendance at which
26 satisfies the requirements of Section 26-1 of the School Code,

1 except that nothing shall be construed to require a child to
2 attend any particular public or nonpublic school to qualify
3 for the credit under this Section.

4 "Custodian" means, with respect to qualifying pupils, an
5 Illinois resident who is a parent, the parents, a legal
6 guardian, or the legal guardians of the qualifying pupils.

7 (n) River Edge Redevelopment Zone site remediation tax
8 credit.

9 (i) For tax years ending on or after December 31,
10 2006, a taxpayer shall be allowed a credit against the tax
11 imposed by subsections (a) and (b) of this Section for
12 certain amounts paid for unreimbursed eligible remediation
13 costs, as specified in this subsection. For purposes of
14 this Section, "unreimbursed eligible remediation costs"
15 means costs approved by the Illinois Environmental
16 Protection Agency ("Agency") under Section 58.14a of the
17 Environmental Protection Act that were paid in performing
18 environmental remediation at a site within a River Edge
19 Redevelopment Zone for which a No Further Remediation
20 Letter was issued by the Agency and recorded under Section
21 58.10 of the Environmental Protection Act. The credit must
22 be claimed for the taxable year in which Agency approval
23 of the eligible remediation costs is granted. The credit
24 is not available to any taxpayer if the taxpayer or any
25 related party caused or contributed to, in any material
26 respect, a release of regulated substances on, in, or

1 under the site that was identified and addressed by the
2 remedial action pursuant to the Site Remediation Program
3 of the Environmental Protection Act. Determinations as to
4 credit availability for purposes of this Section shall be
5 made consistent with rules adopted by the Pollution
6 Control Board pursuant to the Illinois Administrative
7 Procedure Act for the administration and enforcement of
8 Section 58.9 of the Environmental Protection Act. For
9 purposes of this Section, "taxpayer" includes a person
10 whose tax attributes the taxpayer has succeeded to under
11 Section 381 of the Internal Revenue Code and "related
12 party" includes the persons disallowed a deduction for
13 losses by paragraphs (b), (c), and (f)(1) of Section 267
14 of the Internal Revenue Code by virtue of being a related
15 taxpayer, as well as any of its partners. The credit
16 allowed against the tax imposed by subsections (a) and (b)
17 shall be equal to 25% of the unreimbursed eligible
18 remediation costs in excess of \$100,000 per site.

19 (ii) A credit allowed under this subsection that is
20 unused in the year the credit is earned may be carried
21 forward to each of the 5 taxable years following the year
22 for which the credit is first earned until it is used. This
23 credit shall be applied first to the earliest year for
24 which there is a liability. If there is a credit under this
25 subsection from more than one tax year that is available
26 to offset a liability, the earliest credit arising under

1 this subsection shall be applied first. A credit allowed
2 under this subsection may be sold to a buyer as part of a
3 sale of all or part of the remediation site for which the
4 credit was granted. The purchaser of a remediation site
5 and the tax credit shall succeed to the unused credit and
6 remaining carry-forward period of the seller. To perfect
7 the transfer, the assignor shall record the transfer in
8 the chain of title for the site and provide written notice
9 to the Director of the Illinois Department of Revenue of
10 the assignor's intent to sell the remediation site and the
11 amount of the tax credit to be transferred as a portion of
12 the sale. In no event may a credit be transferred to any
13 taxpayer if the taxpayer or a related party would not be
14 eligible under the provisions of subsection (i).

15 (iii) For purposes of this Section, the term "site"
16 shall have the same meaning as under Section 58.2 of the
17 Environmental Protection Act.

18 (o) For each of the taxable years during the Compassionate
19 Use of Medical Cannabis Program, a surcharge is imposed on all
20 taxpayers on income arising from the sale or exchange of
21 capital assets, depreciable business property, real property
22 used in the trade or business, and Section 197 intangibles of
23 an organization registrant under the Compassionate Use of
24 Medical Cannabis Program Act. The amount of the surcharge is
25 equal to the amount of federal income tax liability for the
26 taxable year attributable to those sales and exchanges. The

1 surcharge imposed does not apply if:

2 (1) the medical cannabis cultivation center
3 registration, medical cannabis dispensary registration, or
4 the property of a registration is transferred as a result
5 of any of the following:

6 (A) bankruptcy, a receivership, or a debt
7 adjustment initiated by or against the initial
8 registration or the substantial owners of the initial
9 registration;

10 (B) cancellation, revocation, or termination of
11 any registration by the Illinois Department of Public
12 Health;

13 (C) a determination by the Illinois Department of
14 Public Health that transfer of the registration is in
15 the best interests of Illinois qualifying patients as
16 defined by the Compassionate Use of Medical Cannabis
17 Program Act;

18 (D) the death of an owner of the equity interest in
19 a registrant;

20 (E) the acquisition of a controlling interest in
21 the stock or substantially all of the assets of a
22 publicly traded company;

23 (F) a transfer by a parent company to a wholly
24 owned subsidiary; or

25 (G) the transfer or sale to or by one person to
26 another person where both persons were initial owners

1 of the registration when the registration was issued;
2 or

3 (2) the cannabis cultivation center registration,
4 medical cannabis dispensary registration, or the
5 controlling interest in a registrant's property is
6 transferred in a transaction to lineal descendants in
7 which no gain or loss is recognized or as a result of a
8 transaction in accordance with Section 351 of the Internal
9 Revenue Code in which no gain or loss is recognized.

10 (p) Pass-through entity tax.

11 (1) For taxable years ending on or after December 31,
12 2021, a partnership (other than a publicly traded
13 partnership under Section 7704 of the Internal Revenue
14 Code) or Subchapter S corporation may elect to apply the
15 provisions of this subsection. A separate election shall
16 be made for each taxable year. Such election shall be made
17 at such time, and in such form and manner as prescribed by
18 the Department, and, once made, is irrevocable.

19 (2) Entity-level tax. A partnership or Subchapter S
20 corporation electing to apply the provisions of this
21 subsection shall be subject to a tax for the privilege of
22 earning or receiving income in this State in an amount
23 equal to 4.95% of the taxpayer's net income for the
24 taxable year.

25 (3) Net income defined.

26 (A) In general. For purposes of paragraph (2), the

1 term net income has the same meaning as defined in
2 Section 202 of this Act, except that, for tax years
3 ending on or after December 31, 2023, a deduction
4 shall be allowed in computing base income for
5 distributions to a retired partner to the extent that
6 the partner's distributions are exempt from tax under
7 Section 203(a)(2)(F) of this Act. In addition, the
8 following modifications shall not apply:

9 (i) the standard exemption allowed under
10 Section 204;

11 (ii) the deduction for net losses allowed
12 under Section 207;

13 (iii) in the case of an S corporation, the
14 modification under Section 203(b)(2)(S); and

15 (iv) in the case of a partnership, the
16 modifications under Section 203(d)(2)(H) and
17 Section 203(d)(2)(I).

18 (B) Special rule for tiered partnerships. If a
19 taxpayer making the election under paragraph (1) is a
20 partner of another taxpayer making the election under
21 paragraph (1), net income shall be computed as
22 provided in subparagraph (A), except that the taxpayer
23 shall subtract its distributive share of the net
24 income of the electing partnership (including its
25 distributive share of the net income of the electing
26 partnership derived as a distributive share from

1 electing partnerships in which it is a partner).

2 (4) Credit for entity level tax. Each partner or
3 shareholder of a taxpayer making the election under this
4 Section shall be allowed a credit against the tax imposed
5 under subsections (a) and (b) of Section 201 of this Act
6 for the taxable year of the partnership or Subchapter S
7 corporation for which an election is in effect ending
8 within or with the taxable year of the partner or
9 shareholder in an amount equal to 4.95% times the partner
10 or shareholder's distributive share of the net income of
11 the electing partnership or Subchapter S corporation, but
12 not to exceed the partner's or shareholder's share of the
13 tax imposed under paragraph (1) which is actually paid by
14 the partnership or Subchapter S corporation. If the
15 taxpayer is a partnership or Subchapter S corporation that
16 is itself a partner of a partnership making the election
17 under paragraph (1), the credit under this paragraph shall
18 be allowed to the taxpayer's partners or shareholders (or
19 if the partner is a partnership or Subchapter S
20 corporation then its partners or shareholders) in
21 accordance with the determination of income and
22 distributive share of income under Sections 702 and 704
23 and Subchapter S of the Internal Revenue Code. If the
24 amount of the credit allowed under this paragraph exceeds
25 the partner's or shareholder's liability for tax imposed
26 under subsections (a) and (b) of Section 201 of this Act

1 for the taxable year, such excess shall be treated as an
2 overpayment for purposes of Section 909 of this Act.

3 (5) Nonresidents. A nonresident individual who is a
4 partner or shareholder of a partnership or Subchapter S
5 corporation for a taxable year for which an election is in
6 effect under paragraph (1) shall not be required to file
7 an income tax return under this Act for such taxable year
8 if the only source of net income of the individual (or the
9 individual and the individual's spouse in the case of a
10 joint return) is from an entity making the election under
11 paragraph (1) and the credit allowed to the partner or
12 shareholder under paragraph (4) equals or exceeds the
13 individual's liability for the tax imposed under
14 subsections (a) and (b) of Section 201 of this Act for the
15 taxable year.

16 (6) Liability for tax. Except as provided in this
17 paragraph, a partnership or Subchapter S making the
18 election under paragraph (1) is liable for the
19 entity-level tax imposed under paragraph (2). If the
20 electing partnership or corporation fails to pay the full
21 amount of tax deemed assessed under paragraph (2), the
22 partners or shareholders shall be liable to pay the tax
23 assessed (including penalties and interest). Each partner
24 or shareholder shall be liable for the unpaid assessment
25 based on the ratio of the partner's or shareholder's share
26 of the net income of the partnership over the total net

1 income of the partnership. If the partnership or
2 Subchapter S corporation fails to pay the tax assessed
3 (including penalties and interest) and thereafter an
4 amount of such tax is paid by the partners or
5 shareholders, such amount shall not be collected from the
6 partnership or corporation.

7 (7) Foreign tax. For purposes of the credit allowed
8 under Section 601(b)(3) of this Act, tax paid by a
9 partnership or Subchapter S corporation to another state
10 which, as determined by the Department, is substantially
11 similar to the tax imposed under this subsection, shall be
12 considered tax paid by the partner or shareholder to the
13 extent that the partner's or shareholder's share of the
14 income of the partnership or Subchapter S corporation
15 allocated and apportioned to such other state bears to the
16 total income of the partnership or Subchapter S
17 corporation allocated or apportioned to such other state.

18 (8) Suspension of withholding. The provisions of
19 Section 709.5 of this Act shall not apply to a partnership
20 or Subchapter S corporation for the taxable year for which
21 an election under paragraph (1) is in effect.

22 (9) Requirement to pay estimated tax. For each taxable
23 year for which an election under paragraph (1) is in
24 effect, a partnership or Subchapter S corporation is
25 required to pay estimated tax for such taxable year under
26 Sections 803 and 804 of this Act if the amount payable as

1 estimated tax can reasonably be expected to exceed \$500.

2 (10) The provisions of this subsection shall apply
3 only with respect to taxable years for which the
4 limitation on individual deductions applies under Section
5 164(b) (6) of the Internal Revenue Code.

6 (Source: P.A. 103-9, eff. 6-7-23; 103-396, eff. 1-1-24;
7 103-595, eff. 6-26-24; 103-605, eff. 7-1-24; 104-453, eff.
8 12-12-25.)

9 (35 ILCS 5/220)

10 Sec. 220. Angel investment credit.

11 (a) As used in this Section:

12 "Applicant" means a corporation, partnership, limited
13 liability company, or a natural person that makes an
14 investment in a qualified new business venture. The term
15 "applicant" does not include (i) a corporation, partnership,
16 limited liability company, or a natural person who has a
17 direct or indirect ownership interest of at least 51% in the
18 profits, capital, or value of the qualified new business
19 venture receiving the investment or (ii) a related member.

20 "Claimant" means an applicant certified by the Department
21 who files a claim for a credit under this Section.

22 "Department" means the Department of Commerce and Economic
23 Opportunity.

24 "Investment" means money (or its equivalent) given to a
25 qualified new business venture, at a risk of loss, in

1 consideration for an equity interest of the qualified new
2 business venture. The Department may adopt rules to permit
3 certain forms of contingent equity investments to be
4 considered eligible for a tax credit under this Section.

5 "Qualified new business venture" means a business that is
6 registered with the Department under this Section.

7 "Related member" means a person that, with respect to the
8 applicant, is any one of the following:

9 (1) An individual, if the individual and the members
10 of the individual's family (as defined in Section 318 of
11 the Internal Revenue Code) own directly, indirectly,
12 beneficially, or constructively, in the aggregate, at
13 least 50% of the value of the outstanding profits,
14 capital, stock, or other ownership interest in the
15 qualified new business venture that is the recipient of
16 the applicant's investment.

17 (2) A partnership, estate, or trust and any partner or
18 beneficiary, if the partnership, estate, or trust and its
19 partners or beneficiaries own directly, indirectly,
20 beneficially, or constructively, in the aggregate, at
21 least 50% of the profits, capital, stock, or other
22 ownership interest in the qualified new business venture
23 that is the recipient of the applicant's investment.

24 (3) A corporation, and any party related to the
25 corporation in a manner that would require an attribution
26 of stock from the corporation under the attribution rules

1 of Section 318 of the Internal Revenue Code, if the
2 applicant and any other related member own, in the
3 aggregate, directly, indirectly, beneficially, or
4 constructively, at least 50% of the value of the
5 outstanding stock of the qualified new business venture
6 that is the recipient of the applicant's investment.

7 (4) A corporation and any party related to that
8 corporation in a manner that would require an attribution
9 of stock from the corporation to the party or from the
10 party to the corporation under the attribution rules of
11 Section 318 of the Internal Revenue Code, if the
12 corporation and all such related parties own, in the
13 aggregate, at least 50% of the profits, capital, stock, or
14 other ownership interest in the qualified new business
15 venture that is the recipient of the applicant's
16 investment.

17 (5) A person to or from whom there is attribution of
18 ownership of stock in the qualified new business venture
19 that is the recipient of the applicant's investment in
20 accordance with Section 1563(e) of the Internal Revenue
21 Code, except that for purposes of determining whether a
22 person is a related member under this paragraph, "20%"
23 shall be substituted for "5%" whenever "5%" appears in
24 Section 1563(e) of the Internal Revenue Code.

25 (b) For taxable years beginning after December 31, 2010,
26 and ending on or before December 31, 2032 ~~December 31, 2026,~~

1 subject to the limitations provided in this Section, a
2 claimant may claim, as a credit against the tax imposed under
3 subsections (a) and (b) of Section 201 of this Act, an amount
4 equal to 25% of the claimant's investment made directly in a
5 qualified new business venture. However, the amount of the
6 credit is 35% of the claimant's investment made directly in
7 the qualified new business venture if the investment is made
8 in: (1) a qualified new business venture that is a
9 minority-owned business, a women-owned business, or a business
10 owned by a person with a disability (as those terms are used
11 and defined in the Business Enterprise for Minorities, Women,
12 and Persons with Disabilities Act); or (2) a qualified new
13 business venture in which the principal place of business is
14 located in a county with a population of not more than 250,000.
15 In order for an investment in a qualified new business venture
16 to be eligible for tax credits, the business must have applied
17 for and received certification under subsection (e) for the
18 taxable year in which the investment was made prior to the date
19 on which the investment was made. The credit under this
20 Section may not exceed the taxpayer's Illinois income tax
21 liability for the taxable year. If the amount of the credit
22 exceeds the tax liability for the year, the excess may be
23 carried forward and applied to the tax liability of the 5
24 taxable years following the excess credit year. The credit
25 shall be applied to the earliest year for which there is a tax
26 liability. If there are credits from more than one tax year

1 that are available to offset a liability, the earlier credit
2 shall be applied first. In the case of a partnership or
3 Subchapter S Corporation, the credit is allowed to the
4 partners or shareholders in accordance with the determination
5 of income and distributive share of income under Sections 702
6 and 704 and Subchapter S of the Internal Revenue Code.

7 (c) The minimum amount an applicant must invest in any
8 single qualified new business venture in order to be eligible
9 for a credit under this Section is \$10,000. The maximum amount
10 of an applicant's total investment made in any single
11 qualified new business venture that may be used as the basis
12 for a credit under this Section is \$2,000,000.

13 (d) The Department shall implement a program to certify an
14 applicant for an angel investment credit. Upon satisfactory
15 review, the Department shall issue a tax credit certificate
16 stating the amount of the tax credit to which the applicant is
17 entitled. The Department shall annually certify that: (i) each
18 qualified new business venture that receives an angel
19 investment under this Section has maintained a minimum
20 employment threshold, as defined by rule, in the State (and
21 continues to maintain a minimum employment threshold in the
22 State for a period of no less than 3 years from the issue date
23 of the last tax credit certificate issued by the Department
24 with respect to such business pursuant to this Section); and
25 (ii) the claimant's investment has been made and remains,
26 except in the event of a qualifying liquidity event, in the

1 qualified new business venture for no less than 3 years.

2 If an investment for which a claimant is allowed a credit
3 under subsection (b) is held by the claimant for less than 3
4 years, other than as a result of a permitted sale of the
5 investment to person who is not a related member, the claimant
6 shall pay to the Department of Revenue, in the manner
7 prescribed by the Department of Revenue, the aggregate amount
8 of the disqualified credits that the claimant received related
9 to the subject investment.

10 If the Department determines that a qualified new business
11 venture failed to maintain a minimum employment threshold in
12 the State through the date which is 3 years from the issue date
13 of the last tax credit certificate issued by the Department
14 with respect to the subject business pursuant to this Section,
15 except for any 3-year reporting period that includes March 13,
16 2020 to January 1, 2024, the claimant or claimants shall pay to
17 the Department of Revenue, in the manner prescribed by the
18 Department of Revenue, the aggregate amount of the
19 disqualified credits that claimant or claimants received
20 related to investments in that business. For tax credits under
21 this Section involving a 3-year reporting period that includes
22 March 13, 2020 to January 1, 2024, the repayment of any tax
23 credits issued shall be determined at the discretion of the
24 Department.

25 (e) The Department shall implement a program to register
26 qualified new business ventures for purposes of this Section.

1 A business desiring registration under this Section shall be
2 required to submit a full and complete application to the
3 Department. A submitted application shall be effective only
4 for the taxable year in which it is submitted, and a business
5 desiring registration under this Section shall be required to
6 submit a separate application in and for each taxable year for
7 which the business desires registration. Further, if at any
8 time prior to the acceptance of an application for
9 registration under this Section by the Department one or more
10 events occurs which makes the information provided in that
11 application materially false or incomplete (in whole or in
12 part), the business shall promptly notify the Department of
13 the same. Any failure of a business to promptly provide the
14 foregoing information to the Department may, at the discretion
15 of the Department, result in a revocation of a previously
16 approved application for that business, or disqualification of
17 the business from future registration under this Section, or
18 both. The Department may register the business only if all of
19 the following conditions are satisfied:

20 (1) it has its principal place of business in this
21 State;

22 (2) at least 51% of the employees employed by the
23 business are employed in this State;

24 (3) the business has the potential for increasing jobs
25 in this State, increasing capital investment in this
26 State, or both, as determined by the Department, and

1 either of the following apply:

2 (A) it is principally engaged in innovation in any
3 of the following: manufacturing; biotechnology;
4 nanotechnology; communications; agricultural
5 sciences; clean energy creation or storage technology;
6 processing or assembling products, including medical
7 devices, pharmaceuticals, computer software, computer
8 hardware, semiconductors, other innovative technology
9 products, or other products that are produced using
10 manufacturing methods that are enabled by applying
11 proprietary technology; or providing services that are
12 enabled by applying proprietary technology; or

13 (B) it is undertaking pre-commercialization
14 activity related to proprietary technology that
15 includes conducting research, developing a new product
16 or business process, or developing a service that is
17 principally reliant on applying proprietary
18 technology;

19 (4) it is not principally engaged in real estate
20 development, insurance, banking, lending, lobbying,
21 political consulting, professional services provided by
22 attorneys, accountants, business consultants, physicians,
23 or health care consultants, wholesale or retail trade,
24 leisure, hospitality, transportation, or construction,
25 except construction of power production plants that derive
26 energy from a renewable energy resource, as defined in

1 Section 1 of the Illinois Power Agency Act;

2 (5) at the time it is first certified:

3 (A) it has fewer than 100 employees;

4 (B) it has been in operation in Illinois for not
5 more than 10 consecutive years prior to the year of
6 certification; and

7 (C) it has received not more than \$10,000,000 in
8 aggregate investments;

9 (5.1) it agrees to maintain a minimum employment
10 threshold in the State of Illinois prior to the date which
11 is 3 years from the issue date of the last tax credit
12 certificate issued by the Department with respect to that
13 business pursuant to this Section;

14 (6) (blank); and

15 (7) it has received not more than \$4,000,000 in
16 investments that qualified for tax credits under this
17 Section.

18 (f) The Department, in consultation with the Department of
19 Revenue, shall adopt rules to administer this Section. For
20 taxable years beginning before January 1, 2024, the aggregate
21 amount of the tax credits that may be claimed under this
22 Section for investments made in qualified new business
23 ventures shall be limited to \$10,000,000 per calendar year, of
24 which \$500,000 shall be reserved for investments made in
25 qualified new business ventures which are minority-owned
26 businesses, women-owned businesses, or businesses owned by a

1 person with a disability (as those terms are used and defined
2 in the Business Enterprise for Minorities, Women, and Persons
3 with Disabilities Act), and an additional \$500,000 shall be
4 reserved for investments made in qualified new business
5 ventures with their principal place of business in counties
6 with a population of not more than 250,000. For taxable years
7 beginning on or after January 1, 2024, the aggregate amount of
8 the tax credits that may be claimed under this Section for
9 investments made in qualified new business ventures shall be
10 limited to \$15,000,000 per calendar year, of which \$2,500,000
11 shall be reserved for investments made in qualified new
12 business ventures that are minority-owned businesses (as the
13 term is defined in the Business Enterprise for Minorities,
14 Women, and Persons with Disabilities Act), \$1,250,000 shall be
15 reserved for investments made in qualified new business
16 ventures that are women-owned businesses or businesses owned
17 by a person with a disability (as those terms are defined in
18 the Business Enterprise for Minorities, Women, and Persons
19 with Disabilities Act), and \$1,250,000 shall be reserved for
20 investments made in qualified new business ventures with their
21 principal place of business in a county with a population of
22 not more than 250,000. The annual allowable amounts set forth
23 in this Section shall be allocated by the Department, on a per
24 calendar quarter basis and prior to the commencement of each
25 calendar year, in such proportion as determined by the
26 Department, provided that: (i) the amount initially allocated

1 by the Department for any one calendar quarter shall not
2 exceed 35% of the total allowable amount; (ii) any portion of
3 the allocated allowable amount remaining unused as of the end
4 of any of the first 3 calendar quarters of a given calendar
5 year shall be rolled into, and added to, the total allocated
6 amount for the next available calendar quarter; and (iii) the
7 reservation of tax credits for investments in minority-owned
8 businesses, women-owned businesses, businesses owned by a
9 person with a disability, and in businesses in counties with a
10 population of not more than 250,000 is limited to the first 3
11 calendar quarters of a given calendar year, after which they
12 may be claimed by investors in any qualified new business
13 venture.

14 (g) A claimant may not sell or otherwise transfer a credit
15 awarded under this Section to another person.

16 (h) On or before March 1 of each year, the Department shall
17 report to the Governor and to the General Assembly on the tax
18 credit certificates awarded under this Section for the prior
19 calendar year.

20 (1) This report must include, for each tax credit
21 certificate awarded:

22 (A) the name of the claimant and the amount of
23 credit awarded or allocated to that claimant;

24 (B) the name and address (including the county) of
25 the qualified new business venture that received the
26 investment giving rise to the credit, the North

1 American Industry Classification System (NAICS) code
2 applicable to that qualified new business venture, and
3 the number of employees of the qualified new business
4 venture; and

5 (C) the date of approval by the Department of each
6 claimant's tax credit certificate.

7 (2) The report must also include:

8 (A) the total number of applicants and the total
9 number of claimants, including the amount of each tax
10 credit certificate awarded to a claimant under this
11 Section in the prior calendar year;

12 (B) the total number of applications from
13 businesses seeking registration under this Section,
14 the total number of new qualified business ventures
15 registered by the Department, and the aggregate amount
16 of investment upon which tax credit certificates were
17 issued in the prior calendar year; and

18 (C) the total amount of tax credit certificates
19 sought by applicants, the amount of each tax credit
20 certificate issued to a claimant, the aggregate amount
21 of all tax credit certificates issued in the prior
22 calendar year and the aggregate amount of tax credit
23 certificates issued as authorized under this Section
24 for all calendar years.

25 (i) For each business seeking registration under this
26 Section after December 31, 2016, the Department shall require

1 the business to include in its application the North American
2 Industry Classification System (NAICS) code applicable to the
3 business and the number of employees of the business at the
4 time of application. Each business registered by the
5 Department as a qualified new business venture that receives
6 an investment giving rise to the issuance of a tax credit
7 certificate pursuant to this Section shall, for each of the 3
8 years following the issue date of the last tax credit
9 certificate issued by the Department with respect to such
10 business pursuant to this Section, report to the Department
11 the following:

12 (1) the number of employees and the location at which
13 those employees are employed, both as of the end of each
14 year;

15 (2) the amount of additional new capital investment
16 raised as of the end of each year, if any; and

17 (3) the terms of any liquidity event occurring during
18 such year; for the purposes of this Section, a "liquidity
19 event" means any event that would be considered an exit
20 for an illiquid investment, including any event that
21 allows the equity holders of the business (or any material
22 portion thereof) to cash out some or all of their
23 respective equity interests.

24 (Source: P.A. 102-16, eff. 6-17-21; 103-9, eff. 1-1-24;
25 103-945, eff. 8-9-24.)

1 (35 ILCS 5/221)

2 Sec. 221. Rehabilitation costs; qualified historic
3 properties; River Edge Redevelopment Zone.

4 (a) For taxable years that begin on or after January 1,
5 2012 and begin prior to January 1, 2018, there shall be allowed
6 a tax credit against the tax imposed by subsections (a) and (b)
7 of Section 201 of this Act in an amount equal to 25% of
8 qualified expenditures incurred by a qualified taxpayer during
9 the taxable year in the restoration and preservation of a
10 qualified historic structure located in a River Edge
11 Redevelopment Zone pursuant to a qualified rehabilitation
12 plan, provided that the total amount of such expenditures (i)
13 must equal \$5,000 or more and (ii) must exceed 50% of the
14 purchase price of the property.

15 (a-1) For taxable years that begin on or after January 1,
16 2018 and end prior to January 1, 2034 ~~January 1, 2029~~, there
17 shall be allowed a tax credit against the tax imposed by
18 subsections (a) and (b) of Section 201 of this Act in an
19 aggregate amount equal to 25% of qualified expenditures
20 incurred by a qualified taxpayer in the restoration and
21 preservation of a qualified historic structure located in a
22 River Edge Redevelopment Zone pursuant to a qualified
23 rehabilitation plan, provided that the total amount of such
24 expenditures must (i) equal \$5,000 or more and (ii) exceed the
25 adjusted basis of the qualified historic structure on the
26 first day the qualified rehabilitation plan begins. For any

1 rehabilitation project, regardless of duration or number of
2 phases, the project's compliance with the foregoing provisions
3 (i) and (ii) shall be determined based on the aggregate amount
4 of qualified expenditures for the entire project and may
5 include expenditures incurred under subsection (a), this
6 subsection, or both subsection (a) and this subsection. If the
7 qualified rehabilitation plan spans multiple years, the
8 aggregate credit for the entire project shall be allowed in
9 the last taxable year, except for phased rehabilitation
10 projects, which may receive credits upon completion of each
11 phase. Before obtaining the first phased credit: (A) the total
12 amount of such expenditures must meet the requirements of
13 provisions (i) and (ii) of this subsection; (B) the
14 rehabilitated portion of the qualified historic structure must
15 be placed in service; and (C) the requirements of subsection
16 (b) must be met.

17 (a-2) For taxable years beginning on or after January 1,
18 2021 and ending prior to January 1, 2029, there shall be
19 allowed a tax credit against the tax imposed by subsections
20 (a) and (b) of Section 201 as provided in Section 10-10.3 of
21 the River Edge Redevelopment Zone Act. The credit allowed
22 under this subsection (a-2) shall apply only to taxpayers that
23 make a capital investment of at least \$1,000,000 in a
24 qualified rehabilitation plan.

25 The credit or credits may not reduce the taxpayer's
26 liability to less than zero. If the amount of the credit or

1 credits exceeds the taxpayer's liability, the excess may be
2 carried forward and applied against the taxpayer's liability
3 in succeeding calendar years in the manner provided under
4 paragraph (4) of Section 211 of this Act. The credit or credits
5 shall be applied to the earliest year for which there is a tax
6 liability. If there are credits from more than one taxable
7 year that are available to offset a liability, the earlier
8 credit shall be applied first.

9 For partners, shareholders of Subchapter S corporations,
10 and owners of limited liability companies, if the liability
11 company is treated as a partnership for the purposes of
12 federal and State income taxation, there shall be allowed a
13 credit under this Section to be determined in accordance with
14 the determination of income and distributive share of income
15 under Sections 702 and 704 and Subchapter S of the Internal
16 Revenue Code.

17 The total aggregate amount of credits awarded under the
18 Blue Collar Jobs Act (Article 20 of this amendatory Act of the
19 101st General Assembly) shall not exceed \$20,000,000 in any
20 State fiscal year.

21 (b) To obtain a tax credit pursuant to this Section, the
22 taxpayer must apply with the Department of Natural Resources.
23 The Department of Natural Resources shall determine the amount
24 of eligible rehabilitation costs and expenses in addition to
25 the amount of the River Edge construction jobs credit within
26 45 days of receipt of a complete application. The taxpayer

1 must submit a certification of costs prepared by an
2 independent certified public accountant that certifies (i) the
3 project expenses, (ii) whether those expenses are qualified
4 expenditures, and (iii) that the qualified expenditures exceed
5 the adjusted basis of the qualified historic structure on the
6 first day the qualified rehabilitation plan commenced. The
7 Department of Natural Resources is authorized, but not
8 required, to accept this certification of costs to determine
9 the amount of qualified expenditures and the amount of the
10 credit. The Department of Natural Resources shall provide
11 guidance as to the minimum standards to be followed in the
12 preparation of such certification. The Department of Natural
13 Resources and the National Park Service shall determine
14 whether the rehabilitation is consistent with the United
15 States Secretary of the Interior's Standards for
16 Rehabilitation.

17 (b-1) Upon completion of the project and approval of the
18 complete application, the Department of Natural Resources
19 shall issue a single certificate in the amount of the eligible
20 credits equal to 25% of qualified expenditures incurred during
21 the eligible taxable years, as defined in subsections (a) and
22 (a-1), excepting any credits awarded under subsection (a)
23 prior to January 1, 2019 (the effective date of Public Act
24 100-629) and any phased credits issued prior to the eligible
25 taxable year under subsection (a-1). At the time the
26 certificate is issued, an issuance fee up to the maximum

1 amount of 2% of the amount of the credits issued by the
2 certificate may be collected from the applicant to administer
3 the provisions of this Section. If collected, this issuance
4 fee shall be deposited into the Historic Property
5 Administrative Fund, a special fund created in the State
6 treasury. Subject to appropriation, moneys in the Historic
7 Property Administrative Fund shall be provided to the
8 Department of Natural Resources as reimbursement for the costs
9 associated with administering this Section.

10 (c) The taxpayer must attach the certificate to the tax
11 return on which the credits are to be claimed. The tax credit
12 under this Section may not reduce the taxpayer's liability to
13 less than zero. If the amount of the credit exceeds the tax
14 liability for the year, the excess credit may be carried
15 forward and applied to the tax liability of the 5 taxable years
16 following the excess credit year.

17 (c-1) Subject to appropriation, moneys in the Historic
18 Property Administrative Fund shall be used, on a biennial
19 basis beginning at the end of the second fiscal year after
20 January 1, 2019 (the effective date of Public Act 100-629), to
21 hire a qualified third party to prepare a biennial report to
22 assess the overall economic impact to the State from the
23 qualified rehabilitation projects under this Section completed
24 in that year and in previous years. The overall economic
25 impact shall include at least: (1) the direct and indirect or
26 induced economic impacts of completed projects; (2) temporary,

1 permanent, and construction jobs created; (3) sales, income,
2 and property tax generation before, during construction, and
3 after completion; and (4) indirect neighborhood impact after
4 completion. The report shall be submitted to the Governor and
5 the General Assembly. The report to the General Assembly shall
6 be filed with the Clerk of the House of Representatives and the
7 Secretary of the Senate in electronic form only, in the manner
8 that the Clerk and the Secretary shall direct.

9 (c-2) The Department of Natural Resources may adopt rules
10 to implement this Section in addition to the rules expressly
11 authorized in this Section.

12 (d) As used in this Section, the following terms have the
13 following meanings.

14 "Phased rehabilitation" means a project that is completed
15 in phases, as defined under Section 47 of the federal Internal
16 Revenue Code and pursuant to National Park Service regulations
17 at 36 C.F.R. 67.

18 "Placed in service" means the date when the property is
19 placed in a condition or state of readiness and availability
20 for a specifically assigned function as defined under Section
21 47 of the federal Internal Revenue Code and federal Treasury
22 Regulation Sections 1.46 and 1.48.

23 "Qualified expenditure" means all the costs and expenses
24 defined as qualified rehabilitation expenditures under Section
25 47 of the federal Internal Revenue Code that were incurred in
26 connection with a qualified historic structure.

1 "Qualified historic structure" means a certified historic
2 structure as defined under Section 47(c)(3) of the federal
3 Internal Revenue Code.

4 "Qualified rehabilitation plan" means a project that is
5 approved by the Department of Natural Resources and the
6 National Park Service as being consistent with the United
7 States Secretary of the Interior's Standards for
8 Rehabilitation.

9 "Qualified taxpayer" means the owner of the qualified
10 historic structure or any other person who qualifies for the
11 federal rehabilitation credit allowed by Section 47 of the
12 federal Internal Revenue Code with respect to that qualified
13 historic structure. Partners, shareholders of subchapter S
14 corporations, and owners of limited liability companies (if
15 the limited liability company is treated as a partnership for
16 purposes of federal and State income taxation) are entitled to
17 a credit under this Section to be determined in accordance
18 with the determination of income and distributive share of
19 income under Sections 702 and 703 and subchapter S of the
20 Internal Revenue Code, provided that credits granted to a
21 partnership, a limited liability company taxed as a
22 partnership, or other multiple owners of property shall be
23 passed through to the partners, members, or owners
24 respectively on a pro rata basis or pursuant to an executed
25 agreement among the partners, members, or owners documenting
26 any alternate distribution method.

1 (Source: P.A. 104-434, eff. 11-21-25.)

2 (35 ILCS 5/231)

3 Sec. 231. Apprenticeship education expense credit.

4 (a) As used in this Section:

5 "Accredited training organization" means an organization
6 that:

7 (1) incurs costs related to training apprentice
8 employees;

9 (2) maintains an apprenticeship program approved by
10 the United States Department of Labor, Office of
11 Apprenticeships, that results in an industry-recognized
12 credential; and either

13 (3) is affiliated with a public or nonpublic secondary
14 school in Illinois and is:

15 (A) an institution of higher education that
16 provides a program that leads to an
17 industry-recognized postsecondary credential or
18 degree;

19 (B) an entity that carries out programs that
20 are registered under the federal National
21 Apprenticeship Act; or

22 (C) a public or private provider of a program
23 of training services, including, but not limited to, a
24 joint labor-management organization; or

25 (4) is not affiliated with a public or nonpublic

1 secondary school in Illinois but receives preapproval from
2 the Department to receive tax credits under this Section.

3 "Department" means the Department of Commerce and Economic
4 Opportunity.

5 "Employer" means an Illinois taxpayer who is the employer
6 of the qualifying apprentice.

7 "Qualifying apprentice" means an individual who: (i) is a
8 resident of the State of Illinois; (ii) is at least 16 years
9 old at the close of the school year for which a credit is
10 sought; (iii) during the school year for which a credit is
11 sought, was a full-time apprentice enrolled in an
12 apprenticeship program which is registered with the United
13 States Department of Labor, Office of Apprenticeship; and (iv)
14 is employed in Illinois by the taxpayer who is the employer.

15 "Qualified education expense" means the amount incurred on
16 behalf of a qualifying apprentice not to exceed \$3,500 for
17 tuition, instructional materials, fees (including, but not
18 limited to, book, license, and lab fees), or other expenses
19 that are directly related to training the apprentices and that
20 are preapproved by the Department. All expenses must be paid
21 to or incurred for training at the school, community college,
22 or organization where the apprentice receives training.

23 (b) For taxable years beginning on or after January 1,
24 2020, and beginning on or before January 1, 2032 ~~January 1,~~
25 ~~2027~~, the employer of one or more qualifying apprentices shall
26 be allowed a credit against the tax imposed by subsections (a)

1 and (b) of Section 201 of the Illinois Income Tax Act. The
2 credit shall be equal to \$3,500 per qualifying apprentice. A
3 taxpayer shall be entitled to an additional \$1,500 credit
4 against the tax imposed by subsections (a) and (b) of Section
5 201 of the Illinois Income Tax Act if (i) the qualifying
6 apprentice resides in an underserved area as defined in
7 Section 5-5 of the Economic Development for a Growing Economy
8 Tax Credit Act during the school year for which a credit is
9 sought by an employer or (ii) the employer's principal place
10 of business is located in an underserved area, as defined in
11 Section 5-5 of the Economic Development for a Growing Economy
12 Tax Credit Act. In no event shall a credit under this Section
13 reduce the taxpayer's liability under this Act to less than
14 zero. For taxable years ending before December 31, 2023, for
15 partners, shareholders of Subchapter S corporations, and
16 owners of limited liability companies, if the liability
17 company is treated as a partnership for purposes of federal
18 and State income taxation, there shall be allowed a credit
19 under this Section to be determined in accordance with the
20 determination of income and distributive share of income under
21 Sections 702 and 704 and Subchapter S of the Internal Revenue
22 Code. For taxable years ending on or after December 31, 2023,
23 partners and shareholders of subchapter S corporations are
24 entitled to a credit under this Section as provided in Section
25 251.

26 (c) The Department shall implement a program to certify

1 applicants for an apprenticeship credit under this Section.
2 Upon satisfactory review, the Department shall issue a tax
3 credit certificate to an employer incurring costs on behalf of
4 a qualifying apprentice stating the amount of the tax credit
5 to which the employer is entitled. If the employer is seeking a
6 tax credit for multiple qualifying apprentices, the Department
7 may issue a single tax credit certificate that encompasses the
8 aggregate total of tax credits for qualifying apprentices for
9 a single employer.

10 (d) The Department, in addition to those powers granted
11 under the Civil Administrative Code of Illinois, is granted
12 and shall have all the powers necessary or convenient to carry
13 out and effectuate the purposes and provisions of this
14 Section, including, but not limited to, power and authority
15 to:

16 (1) Adopt rules deemed necessary and appropriate for
17 the administration of this Section; establish forms for
18 applications, notifications, contracts, or any other
19 agreements; and accept applications at any time during the
20 year and require that all applications be submitted via
21 the Internet. The Department shall require that
22 applications be submitted in electronic form.

23 (2) Provide guidance and assistance to applicants
24 pursuant to the provisions of this Section and cooperate
25 with applicants to promote, foster, and support job
26 creation within the State.

1 (3) Enter into agreements and memoranda of
2 understanding for participation of and engage in
3 cooperation with agencies of the federal government, units
4 of local government, universities, research foundations or
5 institutions, regional economic development corporations,
6 or other organizations for the purposes of this Section.

7 (4) Gather information and conduct inquiries, in the
8 manner and by the methods it deems desirable, including,
9 without limitation, gathering information with respect to
10 applicants for the purpose of making any designations or
11 certifications necessary or desirable or to gather
12 information in furtherance of the purposes of this Act.

13 (5) Establish, negotiate, and effectuate any term,
14 agreement, or other document with any person necessary or
15 appropriate to accomplish the purposes of this Section,
16 and consent, subject to the provisions of any agreement
17 with another party, to the modification or restructuring
18 of any agreement to which the Department is a party.

19 (6) Provide for sufficient personnel to permit
20 administration, staffing, operation, and related support
21 required to adequately discharge its duties and
22 responsibilities described in this Section from funds made
23 available through charges to applicants or from funds as
24 may be appropriated by the General Assembly for the
25 administration of this Section.

26 (7) Require applicants, upon written request, to issue

1 any necessary authorization to the appropriate federal,
2 State, or local authority or any other person for the
3 release to the Department of information requested by the
4 Department, including, but not be limited to, financial
5 reports, returns, or records relating to the applicant or
6 to the amount of credit allowable under this Section.

7 (8) Require that an applicant shall, at all times,
8 keep proper books of record and account in accordance with
9 generally accepted accounting principles consistently
10 applied, with the books, records, or papers related to the
11 agreement in the custody or control of the applicant open
12 for reasonable Department inspection and audits,
13 including, without limitation, the making of copies of the
14 books, records, or papers.

15 (9) Take whatever actions are necessary or appropriate
16 to protect the State's interest in the event of
17 bankruptcy, default, foreclosure, or noncompliance with
18 the terms and conditions of financial assistance or
19 participation required under this Section or any agreement
20 entered into under this Section, including the power to
21 sell, dispose of, lease, or rent, upon terms and
22 conditions determined by the Department to be appropriate,
23 real or personal property that the Department may recover
24 as a result of these actions.

25 (e) The Department, in consultation with the Department of
26 Revenue, shall adopt rules to administer this Section. The

1 aggregate amount of the tax credits that may be claimed under
2 this Section for qualified education expenses incurred by an
3 employer on behalf of a qualifying apprentice shall be limited
4 to \$5,000,000 per calendar year. If applications for a greater
5 amount are received, credits shall be allowed on a first-come
6 first-served basis, based on the date on which each properly
7 completed application for a certificate of eligibility is
8 received by the Department. If more than one certificate is
9 received on the same day, the credits will be awarded based on
10 the time of submission for that particular day.

11 (f) An employer may not sell or otherwise transfer a
12 credit awarded under this Section to another person or
13 taxpayer.

14 (g) The employer shall provide the Department such
15 information as the Department may require, including, but not
16 limited to: (i) the name, age, and identification number of
17 each qualifying apprentice employed by the taxpayer during the
18 taxable year; (ii) the amount of qualified education expenses
19 incurred with respect to each qualifying apprentice; and (iii)
20 the name of the accredited training organization at which the
21 qualifying apprentice is enrolled and the qualified education
22 expenses are incurred.

23 (h) On or before July 1 of each year, the Department shall
24 report to the Governor and the General Assembly on the tax
25 credit certificates awarded under this Section for the prior
26 calendar year. The report must include:

1 (1) the name of each employer awarded or allocated a
2 credit;

3 (2) the number of qualifying apprentices for whom the
4 employer has incurred qualified education expenses;

5 (3) the North American Industry Classification System
6 (NAICS) code applicable to each employer awarded or
7 allocated a credit;

8 (4) the amount of the credit awarded or allocated to
9 each employer;

10 (5) the total number of employers awarded or allocated
11 a credit;

12 (6) the total number of qualifying apprentices for
13 whom employers receiving credits under this Section
14 incurred qualified education expenses; and

15 (7) the average cost to the employer of all
16 apprenticeships receiving credits under this Section.

17 (Source: P.A. 103-396, eff. 1-1-24; 103-1059, eff. 12-20-24;
18 104-6, eff. 6-16-25; 104-434, eff. 11-21-25.)

19 (35 ILCS 5/242)

20 Sec. 242. Music and Musicians Tax Credits and Jobs Act.
21 Taxpayers who have been awarded a credit under the Music and
22 Musicians Tax Credits and Jobs Act are entitled to a credit
23 against the taxes imposed by subsections (a) and (b) of
24 Section 201 of this Act in an amount determined by the
25 Department of Commerce and Economic Opportunity under that

1 Act. The credit shall be claimed for ~~in~~ the taxable year in
2 which the tax credit award certificate is issued, and the
3 certificate shall be attached to the return. If the taxpayer
4 is a partnership or Subchapter S corporation, the credit shall
5 be allowed to the partners or shareholders in accordance with
6 the provisions of Section 251.

7 The credit may not reduce the taxpayer's liability to less
8 than zero. If the amount of the credit exceeds the tax
9 liability for the year, the excess may be carried forward and
10 applied to the tax liability of the 5 taxable years following
11 the excess credit year. The credit shall be applied to the
12 earliest year for which there is a tax liability. If there are
13 credits from more than one tax year that are available to
14 offset a liability, the earlier credit shall be applied first.

15 (Source: P.A. 103-592, Article 52, Section 52-5, eff. 6-7-24;
16 104-417, eff. 8-15-25.)

17 Section 37. The Music and Musicians Tax Credit and Jobs
18 Act is amended by changing Sections 50-10, 50-15, 50-35,
19 50-40, and 50-45 as follows:

20 (35 ILCS 19/50-10)

21 Sec. 50-10. Definitions. As used in this Act:

22 "Department" means the Department of Commerce and Economic
23 Opportunity.

24 "Expenditure in the State" means (i) an expenditure to

1 acquire, from a source within the State, property that is
2 subject to tax under the Use Tax Act, the Service Use Tax Act,
3 the Service Occupation Tax Act, or the Retailers' Occupation
4 Tax Act or (ii) an expenditure for compensation for services
5 performed within the State that is subject to State income tax
6 under the Illinois Income Tax Act.

7 "Illinois labor expenditure" means gross salary or wages,
8 including, but not limited to, taxes, benefits, and any other
9 consideration incurred or paid to artist employees of the
10 applicant for services rendered to and on behalf of the
11 qualified music company, provided that the expenditure is:

12 (1) incurred or paid by the applicant on or after the
13 effective date of this Act for services related to any
14 portion of a qualified music company from rehearsals,
15 performances, and any other qualified music company
16 related activities;

17 (2) limited to the first \$100,000 of wages incurred or
18 paid to each employee of a qualified music production in
19 each calendar ~~tax~~ year;

20 (3) paid in the calendar year of the State-certified
21 production ~~tax-year~~ for which the applicant is seeking
22 ~~claiming~~ the tax credit award;

23 (4) paid to persons residing in Illinois at the time
24 payments were made; and

25 (5) reasonable under the circumstances.

26 "Qualified music company" means an entity that (i) is

1 authorized to do business in Illinois, (ii) is engaged
2 directly or indirectly in the production, distribution, or
3 promotion of music, (iii) is certified by the Department as
4 meeting the eligibility requirements of this Act, and (iv) has
5 executed a contract with the Department providing the terms
6 and conditions for its participation.

7 "Qualified music company payroll" or "QMC payroll" means
8 wages reported by the qualified music company in box 1 of each
9 W-2 form prepared for an employee of the qualified music
10 company who is an Illinois resident.

11 "Resident copyright" means the copyright of a musical
12 composition written by an Illinois resident or owned by an
13 Illinois-domiciled music company, as evidenced by documents of
14 ownership, including, but not limited to, registration with
15 the United States Copyright Office.

16 "Sound recording" means a recording of music, poetry, or a
17 spoken-word performance made, in whole or in part, in
18 Illinois. "Sound recording" does not include the audio
19 portions of dialogue or words spoken and recorded as part of
20 television news coverage or athletic events.

21 "Sound recording production company" means a company
22 engaged in the business of producing sound recordings. "Sound
23 recording production company" does not include any person or
24 company, or any company owned, affiliated, or controlled, in
25 whole or in part, by any company or person, that is in default
26 on a loan made by the State or a loan guaranteed by the State,

1 nor which has ever declared bankruptcy under which an
2 obligation of the company or person to pay or repay public
3 funds or moneys was discharged as a part of the bankruptcy.

4 "State-certified production" means a sound recording
5 production, or a series of productions, including, but not
6 limited to, master and demonstration recordings, occurring
7 over the course of a 12-month period, and the base
8 production-related investment that is approved by the
9 Department after receipt by the Department of a complete
10 application for initial certification of a production.

11 "Tax credit award" means the issuance to a taxpayer by the
12 Department of a tax credit award against the taxes imposed by
13 subsections (a) and (b) of Section 201 of the Illinois Income
14 Tax Act as provided in this Act.

15 (Source: P.A. 103-592, eff. 6-7-24; 103-1055, eff. 12-20-24.)

16 (35 ILCS 19/50-15)

17 Sec. 50-15. Powers of the Department. The Department, in
18 addition to those powers granted under the Civil
19 Administrative Code of Illinois, is granted and has all the
20 powers necessary or convenient to carry out and effectuate the
21 purposes and provisions of this Act, including, but not
22 limited to, the power and authority to:

23 (1) adopt rules that are necessary and appropriate for
24 the administration of this Act;

25 (2) establish forms for applications, notifications,

1 contracts, or any other agreements with respect to tax
2 credits under this Act and to accept applications for tax
3 credits under this Act at any time during the year;

4 (3) assist applicants for tax credits under this Act
5 to promote, foster, and support sound recording and live
6 theater development and production and its related job
7 creation or retention within the State;

8 (4) gather information and conduct inquiries, as
9 provided in this Act, required for the Department to
10 comply with the provisions of this Act and, without
11 limitation, to obtain information with respect to
12 applicants for the purpose of making any designations or
13 certifications necessary or desirable to assist the
14 Department with any recommendation or guidance in the
15 furtherance of the purposes of this Act and relating to
16 applicants' participation in training, education, and
17 recruitment programs that are organized in cooperation
18 with Illinois colleges and universities or labor
19 organizations designed to promote and encourage the
20 training and hiring of Illinois residents who represent
21 the diversity of the Illinois population;

22 (5) provide for sufficient personnel to permit
23 administrative, staffing, operating, and related support
24 required to adequately discharge the Department's duties
25 and responsibilities under this Act from funds as may be
26 appropriated by the General Assembly for the

1 administration of this Act; and

2 (6) require that the applicant at all times keep
3 proper books and records of accounts relating to the tax
4 credit award, in accordance with generally accepted
5 accounting principles consistently applied, and make those
6 books and records available for reasonable Department
7 inspection and audit, upon reasonable written request by
8 the Department, during the applicant's normal business
9 hours. Any documents or data made available to the
10 Department or received by the Department from the
11 applicant by any agent, employee, officer, or service
12 provider shall be deemed confidential and shall not
13 constitute public records to the extent that the documents
14 or data consist of commercial or financial information
15 regarding the operation by the applicant of any qualified
16 music company ~~theater~~ or any accredited music ~~theater~~
17 production or any recipient of any tax credit award under
18 this Act.

19 (Source: P.A. 103-592, eff. 6-7-24.)

20 (35 ILCS 19/50-35)

21 Sec. 50-35. Issuance of tax credit award certificate.

22 (a) In order to qualify for a tax credit award under this
23 Act, an applicant must file an application for each qualified
24 music company at each of the applicant's qualified facilities,
25 on forms prescribed by the Department, providing information

1 necessary to calculate the tax credit award and any additional
2 information as reasonably required by the Department.

3 (b) Upon satisfactory review of the application, the
4 Department shall issue a tax credit award certificate stating
5 the amount of the tax credit award to which the applicant is
6 entitled for that calendar ~~tax~~ year and shall
7 contemporaneously notify the applicant and the Department of
8 Revenue.

9 (c) For calendar ~~tax~~ years beginning on or after January
10 1, 2026, ~~January 1, 2025,~~ a taxpayer who has been awarded a tax
11 credit under paragraph (b) of this Section is entitled to a
12 credit against the taxes imposed under subsections (a) and (b)
13 of Section 201 of the Illinois Income Tax Act.

14 (Source: P.A. 103-592, eff. 6-7-24.)

15 (35 ILCS 19/50-40)

16 Sec. 50-40. Amount and payment of the tax credit award.

17 (a) For calendar ~~taxable~~ years beginning on or after
18 January 1, 2026, ~~January 1, 2025,~~ the Department shall
19 determine the amount of the tax award under this Act. The award
20 may not exceed 10% of the Illinois labor expenditures for the
21 State-certified production if the QMC payroll of the qualified
22 music company for the calendar ~~taxable~~ year does not exceed
23 \$150,000 or 15% of the Illinois labor expenditures for the
24 State-certified production if the QMC payroll of the qualified
25 music company for the calendar ~~taxable~~ year exceeds \$150,000,

1 plus all of the following:

2 (1) an additional 15% of the Illinois labor
3 expenditures for the State-certified production generated
4 by the employment of Illinois residents in geographic
5 areas of high poverty or high unemployment in each
6 calendar ~~tax~~ year, as determined by the Department; and

7 (2) an additional 7% of the Illinois labor
8 expenditures for the State-certified production generated
9 by the employment of individuals who are employed at a
10 wage of no less than the general prevailing hourly rate as
11 paid for work of a similar character in the locality in
12 which the work is performed; and

13 (3) an additional 7% of the Illinois labor
14 expenditures for the State-certified production incurred
15 by a qualified music company and spent on post-production
16 sound recording for television or film work completed in
17 Illinois.

18 (b) To the extent that the base investment by a qualified
19 music company is expended on a sound recording production of a
20 resident copyright, the investor shall be allowed an
21 additional 10% increase in the base investment rate.

22 (c) The aggregate amount of credits certified for all
23 investors pursuant to this Section during any calendar year
24 shall not exceed \$2,000,000. No more than \$200,000 in tax
25 credits may be granted per calendar year for any single
26 qualified music company.

1 (d) A business is eligible for participation in the
2 program if the business meets all of the following criteria:

3 (1) The business is engaged directly or indirectly in
4 the production, distribution, and promotion of music.

5 (2) The business is approved by the Director of
6 Commerce and Economic Opportunity.

7 (e) Upon approval of a tax credit award under this Act, the
8 Department shall issue a tax credit certificate to the
9 applicant.

10 (Source: P.A. 103-592, eff. 6-7-24; 103-1055, eff. 12-20-24.)

11 (35 ILCS 19/50-45)

12 Sec. 50-45. Qualified music program evaluation and
13 reports.

14 (a) (Blank).

15 The Department may make a recommendation to extend,
16 modify, or not extend the program based on the evaluation.

17 (b) (Blank).

18 (c) On or before June 1 of each ~~At the end of each fiscal~~
19 year, the Department shall submit to the General Assembly a
20 report for the prior calendar year that includes, without
21 limitation:

22 (1) the identification of each vendor that provided
23 goods or services that were included in a qualified music
24 company's Illinois spending;

25 (2) a statement of the amount paid to each identified

1 vendor by the qualified music program and whether the
2 vendor is a minority-owned or women-owned business as
3 defined in Section 2 of the Business Enterprise for
4 Minorities, Women, and Persons with Disabilities Act; and

5 (3) a description of the steps taken by the Department
6 to encourage qualified music companies to use vendors who
7 are minority-owned or women-owned businesses.

8 (Source: P.A. 103-592, eff. 6-7-24; 103-1055, eff. 12-20-24;
9 104-283, eff. 8-15-25.)

10 Section 40. The Southeastern Illinois Economic Development
11 Authority Act is amended by changing Section 20 as follows:

12 (70 ILCS 518/20)

13 Sec. 20. Creation.

14 (a) There is created a political subdivision, body
15 politic, and municipal corporation named the Southeastern
16 Illinois Economic Development Authority. The territorial
17 jurisdiction of the Authority is that geographic area within
18 the boundaries of the following counties: Fayette, Cumberland,
19 Clark, Effingham, Jasper, Crawford, Marion, Clay, Richland,
20 Lawrence, Jefferson, Wayne, Edwards, Wabash, Hamilton, and
21 White; Irvington Township in Washington County; and any
22 navigable waters and air space located therein.

23 (b) The governing and administrative powers of the
24 Authority shall be vested in a body consisting of 26 public 27

1 members and one ex officio member, as follows:

2 (1) Public members. Nine members shall be appointed by
3 the Governor with the advice and consent of the Senate.
4 The county board chairmen of the following counties shall
5 each appoint one member: Clark, Clay, Crawford,
6 Cumberland, Edwards, Effingham, Fayette, Hamilton, Jasper,
7 Jefferson, Lawrence, Marion, Richland, Wabash, Washington,
8 Wayne, and White.

9 (2) Ex officio member. The Director of Commerce and
10 Economic Opportunity, or his or her designee, shall serve
11 as an ex officio member. One member shall be appointed by
12 the Director of Commerce and Economic Opportunity.

13 All public members shall reside within the territorial
14 jurisdiction of the Authority. The public members shall be
15 persons of recognized ability and experience in one or more of
16 the following areas: economic development, finance, banking,
17 industrial development, state or local government, commercial
18 agriculture, small business management, real estate
19 development, community development, venture finance, organized
20 labor, or civic or community organization.

21 (c) Fourteen members shall constitute a quorum, and the
22 Board may not meet or take any action without a quorum present.

23 (d) The chairman of the Authority shall be elected
24 annually by the Board.

25 (e) The terms of the initial members of the Authority
26 shall begin 30 days after the effective date of this Act. Of

1 the 10 original members appointed by the Governor and the
2 Director of Commerce and Economic Opportunity pursuant to
3 subsection (b), one shall serve until the third Monday in
4 January, 2005; one shall serve until the third Monday in
5 January, 2006; 2 shall serve until the third Monday in
6 January, 2007; 2 shall serve until the third Monday in
7 January, 2008; 2 shall serve until the third Monday in
8 January, 2009; and 2 shall serve until the third Monday in
9 January, 2010. The terms of the initial public members of the
10 Authority appointed by the county board chairmen shall begin
11 30 days after the effective date of this amendatory Act of the
12 97th General Assembly. The terms of the initial public members
13 appointed by the county board chairmen shall be determined by
14 lot, according to the following schedule: (i) 4 shall serve
15 until the third Monday in January, 2013, (ii) 4 shall serve
16 until the third Monday in January, 2014, (iii) 3 shall serve
17 until the third Monday in January, 2015, (iv) 3 shall serve
18 until the third Monday in January, 2016, and (v) 3 shall serve
19 until the third Monday in January, 2017. All successors to
20 these initial members shall be appointed by the original
21 appointing authority pursuant to subsection (b), and shall
22 hold office for a term of 3 years commencing the third Monday
23 in January of the year in which their term commences, except in
24 the case of an appointment to fill a vacancy. Vacancies
25 occurring among the members shall be filled for the remainder
26 of the term. In case of a vacancy in a Governor-appointed

1 membership when the Senate is not in session, the Governor may
2 make a temporary appointment until the next meeting of the
3 Senate when a person shall be nominated to fill the office and,
4 upon confirmation by the Senate, he or she shall hold office
5 during the remainder of the term and until a successor is
6 appointed and qualified. Members of the Authority are not
7 entitled to compensation for their services as members but are
8 entitled to reimbursement for all necessary expenses incurred
9 in connection with the performance of their duties as members.
10 Members of the Board may participate in Board meetings by
11 teleconference or video conference.

12 (f) The Governor may remove any public member of the
13 Authority appointed by the Governor, and the Director of
14 Commerce and Economic Opportunity may remove any member
15 appointed by the Director, in case of incompetence, neglect of
16 duty, or malfeasance in office. The chairman of a county
17 board, with the approval of a majority vote of the county
18 board, may remove any public member appointed by that chairman
19 in the case of incompetence, neglect of duty, or malfeasance
20 in office.

21 (g) The Board shall appoint an Executive Director who
22 shall have a background in finance, including familiarity with
23 the legal and procedural requirements of issuing bonds, real
24 estate, or economic development and administration. The
25 Executive Director shall hold office at the discretion of the
26 Board. The Executive Director shall be the chief

1 administrative and operational officer of the Authority, shall
2 direct and supervise its administrative affairs and general
3 management, perform such other duties as may be prescribed
4 from time to time by the members, and receive compensation
5 fixed by the Authority. The Executive Director shall attend
6 all meetings of the Authority. However, no action of the
7 Authority shall be invalid on account of the absence of the
8 Executive Director from a meeting. The Authority may engage
9 the services of the Illinois Finance Authority, attorneys,
10 appraisers, engineers, accountants, credit analysts, and other
11 consultants, if the Southeastern Illinois Economic Development
12 Authority deems it advisable.

13 (Source: P.A. 103-517, eff. 8-11-23.)

14 Section 45. The Broadband Advisory Council Act is amended
15 by changing Section 20 as follows:

16 (220 ILCS 80/20)

17 Sec. 20. Powers and duties of the Council generally.

18 (a) The Council shall:

19 (1) explore any and all ways to expand the
20 availability to end-user customers of broadband services
21 using available technologies, including, but not limited
22 to, wireline, wireless, fixed wireless, and satellite
23 applications;

24 (2) identify barriers to broadband adoption among the

1 residents and small businesses of Illinois;

2 (3) research ways to eliminate barriers to adoption
3 through measures such as: digital literacy programs;
4 programs to assist older citizens in using broadband
5 Internet access; programs to facilitate adoption by
6 disabled citizens; and programs to encourage collaborative
7 efforts among public universities, community colleges,
8 libraries, public housing, and other institutions;

9 (4) assess the availability of broadband for
10 low-income households compared to the availability of
11 broadband for other households;

12 (5) explore the potential for increased use of
13 broadband service for the purposes of education, career
14 readiness, workforce preparation, and alternative career
15 training;

16 (6) explore the potential for increased use of
17 broadband services to facilitate aging in place;

18 (7) explore ways for encouraging State and municipal
19 agencies, including public housing authorities, to expand
20 the use of broadband services for the purpose of better
21 serving the public, including audio and video streaming,
22 voice-over Internet protocol, teleconferencing, and
23 wireless networking;

24 (8) cooperate and assist in the expansion of
25 electronic instruction and distance education services;

26 (9) as the Federal Communications Commission updates

1 the benchmark downstream data rates and upstream data
2 rates, publish the revised data rates in the Illinois
3 Register within 60 days after the federal update; and

4 (10) evaluate the expansion of the Illinois Century
5 Network to Illinois public schools, public libraries, and
6 State-owned correctional institutions or facilities,
7 including issuing recommendations for increasing agency
8 staffing, infrastructure development, price modeling, and
9 providing download speeds of at least one gigabyte per
10 second and upload speeds of at least one gigabyte per
11 second.

12 (b) In addition to the powers set forth elsewhere in this
13 Act, the Council is hereby granted the powers necessary to
14 carry out the purpose and intent of this Act, as enumerated in
15 this Section, including, but not limited to:

16 (1) promoting awareness of public facilities that have
17 community broadband access that can be used for distance
18 education and workforce development; and

19 (2) advising on deployment of e-government portals
20 such that all public bodies and political subdivisions
21 have websites and encourage one-stop government access and
22 that all public entities stream audio and video of all
23 public meetings.

24 (c) The Council shall also:

25 (1) monitor the broadband-based development efforts of
26 other states in areas such as business, education, aging

1 in place, and health;

2 (2) receive input provided on a voluntary basis from
3 all Illinois broadband stakeholders and advise the
4 Governor and the General Assembly on policies related to
5 broadband in Illinois, provided that no stakeholders shall
6 be required to publicly disclose competitively sensitive
7 information or information that could compromise network
8 security or undermine the efficacy of reasonable network
9 management practices, and that any such information
10 voluntarily disclosed shall be protected from public
11 disclosure; and

12 (3) serve as the broadband advocate to State agencies
13 and other State entities to communicate the broadband
14 needs of citizens and organizations that do not have
15 access to broadband service or to broadband service
16 adequate for their needs.

17 (d) The Council shall exercise its powers and authority to
18 (1) advise and make recommendations to the General Assembly
19 and the Governor on bringing broadband service to unserved and
20 underserved rural and urban areas and improving broadband
21 service statewide, (2) advise and make recommendations to the
22 General Assembly and the Governor on facilitating broadband
23 adoption by all citizens, and (3) propose statutory changes
24 that may enhance and expand broadband in the State.

25 (e) The Council shall report to the General Assembly on or
26 before January 31 ~~January 1~~ of each year. The report to the

1 General Assembly shall be filed with the Clerk of the House of
2 Representatives and the Secretary of the Senate in electronic
3 form only, in the manner that the Clerk and the Secretary shall
4 direct. The report shall include the action that was taken by
5 the Council during the previous year in carrying out the
6 provisions of this Act. The Council shall also make any other
7 reports as may be required by the General Assembly or the
8 Governor.

9 (Source: P.A. 103-483, eff. 8-4-23.)

10 Section 50. The Energy Assistance Act is amended by
11 changing Section 5 as follows:

12 (305 ILCS 20/5) (from Ch. 111 2/3, par. 1405)

13 Sec. 5. Policy Advisory Council.

14 (a) Within the Department of Commerce and Economic
15 Opportunity is created a Low Income Energy Assistance Policy
16 Advisory Council.

17 (b) The Council shall be chaired by the Director of
18 Commerce and Economic Opportunity or his or her designee.
19 There shall be 17 ~~19~~ members of the Low Income Energy
20 Assistance Policy Advisory Council, including the chairperson
21 and the following members:

22 (1) one member designated by the Illinois Commerce
23 Commission;

24 (2) (blank);

1 (3) one member designated by the Illinois Energy
2 Association to represent electric public utilities serving
3 in excess of 1 million customers in this State;

4 (4) one member agreed upon by gas public utilities
5 that serve more than 500,000 and fewer than 1,500,000
6 customers in this State;

7 (5) one member agreed upon by gas public utilities
8 that serve 1,500,000 or more customers in this State;

9 (6) one member designated by the Illinois Energy
10 Association to represent combination gas and electric
11 public utilities;

12 (7) one member agreed upon by the Illinois Municipal
13 Electric Agency and the Association of Illinois Electric
14 Cooperatives;

15 (8) one member agreed upon by the Illinois Industrial
16 Energy Consumers;

17 (9) three members designated by the Department to
18 represent low income energy consumers;

19 (10) two members designated by the Illinois Community
20 Action Association to represent local agencies that assist
21 in the administration of this Act;

22 (11) one member designated by the Citizens Utility
23 Board to represent residential energy consumers;

24 (12) (blank); ~~one member designated by the Illinois~~
25 ~~Retail Merchants Association to represent commercial~~
26 ~~energy customers;~~

1 (13) (blank); ~~one member designated by the Department~~
2 ~~to represent independent energy providers;~~ and

3 (14) three members designated by the Mayor of the City
4 of Chicago.

5 (c) Designated and appointed members shall serve 2 year
6 terms and until their successors are appointed and qualified.
7 The designating organization shall notify the chairperson of
8 any changes or substitutions of a designee within 10 business
9 days of a change or substitution. Members shall serve without
10 compensation, but may receive reimbursement for actual costs
11 incurred in fulfilling their duties as members of the Council.

12 (d) The Council shall have the following duties:

13 (1) to monitor the administration of this Act to
14 ensure effective, efficient, and coordinated program
15 development and implementation;

16 (2) to assist the Department in developing and
17 administering rules and regulations required to be
18 promulgated pursuant to this Act in a manner consistent
19 with the purpose and objectives of this Act;

20 (3) to facilitate and coordinate the collection and
21 exchange of all program data and other information needed
22 by the Department and others in fulfilling their duties
23 pursuant to this Act;

24 (4) to advise the Department on the proper level of
25 support required for effective administration of the Act;

26 (5) to provide a written opinion concerning any

1 regulation proposed pursuant to this Act, and to review
2 and comment on any energy assistance or related plan
3 required to be prepared by the Department;

4 (6) to advise the Department on the use of funds
5 collected pursuant to Section 11 of this Act, and on any
6 changes to existing low income energy assistance programs
7 to make effective use of such funds, so long as such uses
8 and changes are consistent with the requirements of the
9 Act.

10 (Source: P.A. 97-916, eff. 8-9-12.)

11 Section 55. The Cannabis Regulation and Tax Act is amended
12 by changing Section 7-15 as follows:

13 (410 ILCS 705/7-15)

14 Sec. 7-15. Loans and grants to Social Equity Applicants.

15 (a) The Department of Commerce and Economic Opportunity
16 shall establish grant and loan programs, subject to
17 appropriations from the Cannabis Business Development Fund,
18 for the purposes of providing financial assistance, loans,
19 grants, and technical assistance to Social Equity Applicants.

20 (b) The Department of Commerce and Economic Opportunity
21 has the power to:

22 (1) provide Cannabis Social Equity loans and grants
23 from appropriations from the Cannabis Business Development
24 Fund to assist Qualified Social Equity Applicants in

1 gaining entry to, and successfully operating in, the
2 State's regulated cannabis marketplace;

3 (2) enter into agreements that set forth terms and
4 conditions of the financial assistance, accept funds or
5 grants, and engage in cooperation with private entities
6 and agencies of State or local government to carry out the
7 purposes of this Section;

8 (3) fix, determine, charge, and collect any premiums,
9 fees, charges, costs and expenses, including application
10 fees, commitment fees, program fees, financing charges, or
11 publication fees in connection with its activities under
12 this Section;

13 (4) coordinate assistance under these loan programs
14 with activities of the Illinois Department of Financial
15 and Professional Regulation, the Illinois Department of
16 Agriculture, and other agencies as needed to maximize the
17 effectiveness and efficiency of this Act;

18 (5) provide staff, administration, and related support
19 required to administer this Section;

20 (6) take whatever actions are necessary or appropriate
21 to protect the State's interest in the event of
22 bankruptcy, default, foreclosure, or noncompliance with
23 the terms and conditions of financial assistance provided
24 under this Section, including the ability to recapture
25 funds if the recipient is found to be noncompliant with
26 the terms and conditions of the financial assistance

1 agreement;

2 (7) establish application, notification, contract, and
3 other forms, procedures, or rules deemed necessary and
4 appropriate; and

5 (8) utilize vendors or contract work to carry out the
6 purposes of this Act.

7 (c) Loans made under this Section:

8 (1) shall only be made if, in the Department's
9 judgment, the project furthers the goals set forth in this
10 Act; and

11 (2) shall be in such principal amount and form and
12 contain such terms and provisions with respect to
13 security, insurance, reporting, delinquency charges,
14 default remedies, and other matters as the Department
15 shall determine appropriate to protect the public interest
16 and to be consistent with the purposes of this Section.
17 The terms and provisions may be less than required for
18 similar loans not covered by this Section.

19 (d) Grants made under this Section shall be awarded on a
20 competitive and annual basis under the Grant Accountability
21 and Transparency Act. Grants made under this Section shall
22 further and promote the goals of this Act, including promotion
23 of Social Equity Applicants, job training and workforce
24 development, and technical assistance to Social Equity
25 Applicants.

26 (e) On or before January 31 of ~~Beginning January 1, 2021~~

1 ~~and~~ each year ~~thereafter~~, the Department shall annually report
2 to the Governor and the General Assembly on the outcomes and
3 effectiveness of this Section that shall include the
4 following:

5 (1) the number of persons or businesses receiving
6 financial assistance under this Section;

7 (2) the amount in financial assistance awarded in the
8 aggregate, in addition to the amount of loans made that
9 are outstanding and the amount of grants awarded;

10 (3) the location of the project engaged in by the
11 person or business; and

12 (4) if applicable, the number of new jobs and other
13 forms of economic output created as a result of the
14 financial assistance.

15 (f) The Department of Commerce and Economic Opportunity
16 shall include engagement with individuals with limited English
17 proficiency as part of its outreach provided or targeted to
18 attract and support Social Equity Applicants.

19 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

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