



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3437

Introduced 2/4/2026, by Sen. Doris Turner

SYNOPSIS AS INTRODUCED:

See Index

Repeals the Opportunities for At-Risk Women Act. Amends the Illinois Council on Women and Girls Act. Provides that the Council on Women and Girls may create the Opportunities for At-Risk Women Subcommittee to research and analyze organizations that support at-risk women in the State. Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Provides that provisions requiring the Department of Commerce and Economic Opportunity's official website to contain a comprehensive list of State, local, and federal economic benefits available to businesses in each of the State's counties and municipalities are repealed on July 1, 2026. Provides that the following reports shall be filed on or before January 31 of each year (instead of January 1): a report on entrepreneurial assistance centers; reports on the Enterprise Zone Loan Fund and the Large Business Attraction Fund; and reports concerning cannabis social equity. Amends the Southeastern Illinois Economic Development Authority Act. Makes changes concerning the membership of the Board of the Southeastern Illinois Economic Development Authority. Amends the Illinois Income Tax Act. Extends the sunset for the apprenticeship education expense tax credit, the research and development tax credit, the angel investment tax credit, and the River Edge Redevelopment Zone tax credit. Effective immediately.

LRB104 20138 SPS 33589 b

1 AN ACT concerning State government.

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

4 (20 ILCS 5075/Act rep.)

5 Section 2. The Opportunities for At-Risk Women Act is
6 repealed.

7 Section 3. The Illinois Council on Women and Girls Act is
8 amended by changing Sections 10 and 15 as follows:

9 (20 ILCS 5130/10)

10 Sec. 10. Definitions. As used in this Act:

11 "At-risk women" means women who are at an increased risk
12 of incarceration because of poverty, abuse, addiction,
13 financial challenges, illiteracy, or other causes. "At-risk
14 women" includes, but is not limited to, women who have
15 previously been incarcerated.

16 "Council" means the Illinois Council on Women and Girls
17 created by this Act.

18 "Woman" or "women" means all persons of the female gender,
19 including both cisgender and transgender persons.

20 "Transgender" describes persons whose gender identity is
21 different from the gender they were assigned at birth.

22 "Cisgender" describes persons whose gender identity is the

1 same as the gender they were assigned at birth.

2 "Gender identity" means a person's deeply felt, inherent
3 sense of who they are as a particular gender, such as female.

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

5 (20 ILCS 5130/15)

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

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

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

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

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

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

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

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

24 (6) to provide proper standards of healthcare, and to
25 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 may create the Opportunities for At-Risk
17 Women Subcommittee. The subcommittee shall research and
18 analyze organizations that support at-risk women in this
19 State, including, but not limited to:

20 (1) State boards, commissions, councils, task forces,
21 initiatives, and programs;

22 (2) any other statewide councils managed by the
23 Department of Corrections;

24 (3) State agencies and subdivisions;

25 (4) federal and local governments offices, including
26 offices that manage correctional facilities, and any task

- 1 forces or programs operated by those offices;
2 (5) organizations, including non-profits, civic
3 groups, and faith-based organizations;
4 (6) colleges and universities, including academic
5 research, initiatives, and programs; and
6 (7) cross-sector organizations that provide additional
7 resources.

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

9 Section 5. The Department of Commerce and Economic
10 Opportunity Law of the Civil Administrative Code of Illinois
11 is amended by changing Sections 605-300, 605-465, 605-503, and
12 605-913 as follows:

13 (20 ILCS 605/605-300) (was 20 ILCS 605/46.2)

14 Sec. 605-300. Economic development plans. The Department
15 shall develop a strategic economic development plan for the
16 State by July 1, 2014. By no later than January 31 ~~July 1,~~
17 ~~2015, and by July 1 annually thereafter,~~ the Department shall
18 make modifications to the plan as modifications are warranted
19 by changes in economic conditions or by other factors,
20 including changes in policy. In addition to the annual
21 modification, the plan shall be reviewed and redeveloped in
22 full every 5 years. In the development of the annual economic
23 development plan, the Department shall consult with
24 representatives of the private sector, other State agencies,

1 academic institutions, local economic development
2 organizations, local governments, and not-for-profit
3 organizations. The annual economic development plan shall set
4 specific, measurable, attainable, relevant, and time-sensitive
5 goals and shall include a focus on areas of high unemployment
6 or poverty.

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

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

20 The plan shall identify and develop specific strategies
21 for utilizing the assets of regions within the State defined
22 as counties and municipalities or other political subdivisions
23 in close geographical proximity that share common economic
24 traits such as commuting zones, labor market areas, or other
25 economically integrated characteristics.

26 If the plan includes strategies that have a fiscal impact

1 on the Department or any other agency, the plan shall include a
2 detailed description of the estimated fiscal impact of such
3 strategies.

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

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

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

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

22 (20 ILCS 605/605-465)

23 Sec. 605-465. Comprehensive website information.

24 (a) The Department's official website must contain a
25 comprehensive list of State, local, and federal economic

1 benefits available to businesses in each of the State's
2 counties and municipalities that the Department includes on
3 its website. In order to do so:

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

8 (2) The information obtained under paragraph (1) must
9 be published on the related web pages of the Department's
10 website.

11 (3) The Department's website shall also provide
12 information regarding available federal economic benefits
13 to the extent possible.

14 (b) The Department shall adopt rules for the
15 implementation of this Section.

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

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

18 (20 ILCS 605/605-503)

19 Sec. 605-503. Entrepreneurship assistance centers.

20 (a) The Department shall establish and support, subject to
21 appropriation, entrepreneurship assistance centers, including
22 the issuance of grants, at career education agencies and
23 not-for-profit corporations, including, but not limited to,
24 local development corporations, chambers of commerce,
25 community-based business outreach centers, and other

1 community-based organizations. The purpose of the centers
2 shall be to train minority group members, women, individuals
3 with a disability, dislocated workers, veterans, and youth
4 entrepreneurs in the principles and practice of
5 entrepreneurship in order to prepare those persons to pursue
6 self-employment opportunities and to pursue a minority
7 business enterprise or a women-owned business enterprise. The
8 centers shall provide for training in all aspects of business
9 development and small business management as defined by the
10 Department.

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

14 (1) the level of support for the center from local
15 post-secondary education institutions, businesses, and
16 government;

17 (2) the level of financial assistance provided at the
18 local and federal level to support the operations of the
19 center;

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

22 (4) the plans of the center to supplement State and
23 local funding through fees for services which may be based
24 on a sliding scale based on ability to pay;

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

1 (6) the quality of the proposed work plan and staff of
2 the center; and

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

5 (c) Each center shall:

6 (1) be operated by a board of directors representing
7 community leaders in business, education, finance, and
8 government;

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

10 (3) be located in an area accessible to eligible
11 clients;

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

21 (5) establish a referral system and linkages to
22 existing area small business assistance programs and
23 financing sources.

24 (d) Each entrepreneurship assistance center shall provide
25 needed services to eligible clients, including, but not
26 limited to: (i) orientation and screening of prospective

1 entrepreneurs; (ii) analysis of business concepts and
2 technical feasibility; (iii) market analysis; (iv) management
3 analysis and counseling; (v) business planning and financial
4 planning assistance; (vi) referrals to financial resources;
5 (vii) referrals to existing educational programs for training
6 in such areas as marketing, accounting, and other training
7 programs as may be necessary and available; and (viii)
8 referrals to business incubator facilities, when appropriate,
9 for the purpose of entering into agreements to access shared
10 support services.

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

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

18 (2) designation of a program director;

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

24 (4) a program budget, including matching funds,
25 in-kind and otherwise, to be provided by the applicant;
26 and

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

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

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

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

1 of new business start-ups resulting from the program. The
2 report shall recommend changes and improvements in the
3 training program and in the quality of supplemental technical
4 assistance offered to graduates of the training programs. The
5 report shall be made available to the public on the
6 Department's website. Between evaluation due dates, the
7 Department shall maintain the necessary records and data
8 required to satisfy the evaluation requirements.

9 (h) For purposes of this Section:

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

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

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

24 "Minority group member" has the same meaning as provided
25 for "minority person" under Section 2 of the Business
26 Enterprise for Minorities, Women, and Persons with

1 Disabilities Act.

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

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

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

14 (Source: P.A. 102-272, eff. 1-1-22; 102-821, eff. 1-1-23;
15 103-154, eff. 6-30-23; 103-746, eff. 1-1-25.)

16 (20 ILCS 605/605-913)

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

18 (a) The General Assembly finds the following:

19 (1) The fresh surface water and groundwater supply in
20 Illinois and Lake Michigan constitute vital natural
21 resources that require careful stewardship and protection
22 for future generations. Access to safe and clean drinking
23 water is the right of all Illinois residents.

24 (2) To adequately protect these resources and provide
25 safe and clean drinking water, substantial investment is

1 needed to replace lead components in drinking water
2 infrastructure, improve wastewater treatment, flood
3 control, and stormwater management, control aquatic
4 invasive species, implement green infrastructure
5 solutions, and implement other infrastructure solutions to
6 protect water quality.

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

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

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

21 (6) Many of these residents are more likely to live in
22 communities with aging and inadequate clean water
23 infrastructure and suffer from threats to surface and
24 drinking water quality.

25 (7) The State can provide significant economic
26 opportunities to these residents and achieve greater

1 environmental and public health by investing in clean
2 water infrastructure.

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

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

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

21 Grants and other financial assistance may be made
22 available on a competitive annual basis to organizations that
23 demonstrate a capacity to recruit, support, train, and place
24 individuals in water infrastructure careers, including, but
25 not limited to, community organizations, educational
26 institutions, workforce investment boards, community action

1 agencies, and multi-craft labor organizations for new efforts
2 specifically focused on engaging residents of environmental
3 justice communities, economically and socially disadvantaged
4 communities, those returning from the criminal justice system,
5 foster care alumni, and in particular women and transgender
6 persons in these populations.

7 Grants and other financial assistance may ~~shall~~ be awarded
8 on a competitive and annual basis for the following
9 activities:

10 (1) identification of individuals for job training in
11 the water sector;

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

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

19 (4) job placement services for individuals during and
20 after completion of water sector job skills training
21 programs; and

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

24 (c) It shall be an annual goal of the Program to train and
25 place at least 300, or 25% of the number of annual jobs created
26 by State financed water infrastructure projects, whichever is

1 greater, of the following persons in water sector-related
2 apprenticeships annually: residents of environmental justice
3 communities; residents of economically and socially
4 disadvantaged communities; those returning from the criminal
5 justice system; foster care alumni; and, in particular, women
6 and transgender persons. In awarding and administering grants
7 under this Program, the Department shall strive to provide
8 assistance equitably throughout the State.

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

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

24 The Department may require recipients of grants under this
25 Program to ~~Recipients of grants under the Program shall report~~
26 ~~annually~~ to the Department, at intervals determined by the

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

8 (1) progress toward the goals stated in this
9 subsection;

10 (2) any increase in the percentage of water industry
11 jobs in targeted populations;

12 (3) any increase in the rate of acceptance,
13 completion, or retention of water training programs among
14 targeted populations;

15 (4) any increase in the rate of employment, including
16 hours and annual income, measured against pre-Program
17 participant income; and

18 (5) any recommendations for future changes to optimize
19 the success of the Program.

20 (d) Within 180 days after an appropriation is made
21 available for the purposes of meeting the requirements of this
22 Act, ~~Within 90 days after January 1, 2020 (the effective date~~
23 ~~of Public Act 101-576),~~ the Department shall propose rules for
24 adoption ~~a draft plan~~ to implement this Section in accordance
25 with the Illinois Administrative Procedure Act, including any
26 public comment required by the Joint Committee on

1 ~~Administrative Rules. for public comment. The Department shall~~
2 ~~allow a minimum of 60 days for public comment on the plan,~~
3 ~~including one or more public hearings, if requested. The~~
4 ~~Department shall finalize the plan within 180 days of January~~
5 ~~1, 2020 (the effective date of Public Act 101-576).~~

6 The Department may propose and adopt any rules necessary
7 for the implementation of the Program and to ensure compliance
8 with this Section.

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

22 (f) For purpose of this Section:

23 "Environmental justice community" has the meaning provided
24 in subsection (b) of Section 1-50 of the Illinois Power Agency
25 Act.

26 "Multi-craft labor organization" means a joint

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

6 "Organization" means a corporation, company, partnership,
7 association, society, order, labor organization, or individual
8 or aggregation of individuals.

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

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

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

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

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

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

1 (20 ILCS 3855/1-130)

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

3 Sec. 1-130. Home rule preemption.

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

16 (b) This Section is repealed on January 1, 2033. ~~January~~
17 ~~1, 2028.~~

18 (Source: P.A. 103-563, eff. 11-17-23; 103-1059, eff. 12-20-24;
19 104-434, eff. 11-21-25.)

20 Section 20. The Opportunities for At-Risk Women Act is
21 amended by changing Section 15 as follows:

22 (20 ILCS 5075/15)

23 Sec. 15. Annual report. On or before January 31 ~~January 1,~~
24 ~~2018, and on or before January 1~~ of each year thereafter, the

1 Task Force shall report to the Governor and the General
2 Assembly on its activities and shall include any
3 recommendations for legislation or rulemaking to facilitate
4 its work in the targeted areas of assistance and outsourcing.
5 (Source: P.A. 99-416, eff. 1-1-16; 100-295, eff. 8-24-17.)

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

8 (30 ILCS 738/40-40)

9 Sec. 40-40. Weatherization Initiative Board.

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

13 (a-5) Notwithstanding any other provision of this Article,
14 the Board has the authority to direct the Department to
15 authorize the awarding of grants to applicants serving areas
16 or populations not included in the target areas and
17 populations set forth in Section 40-25 if the Board determines
18 that there are special circumstances involving the areas or
19 populations served by the applicant.

20 (b) The Board shall consist of 5 voting members appointed
21 by the Governor with the advice and consent of the Senate. The
22 initial members shall have terms as follows as designated by
23 the Governor: one for one year, one for 2 years, one for 3
24 years, one for 4 years, and one for 5 years, or until a

1 successor is appointed and qualified. Thereafter, members
2 shall serve 5-year terms or until a successor is appointed and
3 qualified. The voting members shall elect a voting member to
4 serve as chair for a one-year term. Vacancies shall be filled
5 in the same manner for the balance of a term.

6 (c) The Board shall also have 4 non-voting ex officio
7 members appointed as follows: one Representative appointed by
8 the Speaker of the House, one Representative appointed by the
9 House Minority Leader, one Senator appointed by the President
10 of the Senate, and one Senator appointed by the Senate
11 Minority Leader, each to serve at the pleasure of the
12 appointing authority.

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

16 (e) The Board may adopt rules under the Illinois
17 Administrative Procedure Act.

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

21 (g) The Department shall provide staff and administrative
22 assistance to the Board.

23 (h) By January 31 ~~December 31~~ of each year, the Board shall
24 file an annual report with the Governor and the General
25 Assembly concerning the Initiative, grants awarded, and
26 grantees and making recommendations for any changes needed to

1 enhance the effectiveness of the Initiative.

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

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

5 (30 ILCS 750/9-9) (from Ch. 127, par. 2709-9)

6 Sec. 9-9. Annual Report. On January 31 ~~January 1~~ of each
7 year, the Department shall report on its operations of the
8 Illinois Capital Revolving Loan Fund and the Illinois Equity
9 Fund for the preceding fiscal year to the Governor and the
10 General Assembly.

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

12 (30 ILCS 750/10-9) (from Ch. 127, par. 2710-9)

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

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

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

20 (35 ILCS 5/201)

21 Sec. 201. Tax imposed.

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

8 (b) Rates. The tax imposed by subsection (a) of this
9 Section shall be determined as follows, except as adjusted by
10 subsection (d-1):

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

15 (2) In the case of an individual, trust or estate, for
16 taxable years beginning prior to July 1, 1989 and ending
17 after June 30, 1989, an amount equal to the sum of (i) 2
18 1/2% of the taxpayer's net income for the period prior to
19 July 1, 1989, as calculated under Section 202.3, and (ii)
20 3% of the taxpayer's net income for the period after June
21 30, 1989, as calculated under Section 202.3.

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

26 (4) In the case of an individual, trust, or estate,

1 for taxable years beginning prior to January 1, 2011, and
2 ending after December 31, 2010, an amount equal to the sum
3 of (i) 3% of the taxpayer's net income for the period prior
4 to January 1, 2011, as calculated under Section 202.5, and
5 (ii) 5% of the taxpayer's net income for the period after
6 December 31, 2010, as calculated under Section 202.5.

7 (5) In the case of an individual, trust, or estate,
8 for taxable years beginning on or after January 1, 2011,
9 and ending prior to January 1, 2015, an amount equal to 5%
10 of the taxpayer's net income for the taxable year.

11 (5.1) In the case of an individual, trust, or estate,
12 for taxable years beginning prior to January 1, 2015, and
13 ending after December 31, 2014, an amount equal to the sum
14 of (i) 5% of the taxpayer's net income for the period prior
15 to January 1, 2015, as calculated under Section 202.5, and
16 (ii) 3.75% of the taxpayer's net income for the period
17 after December 31, 2014, as calculated under Section
18 202.5.

19 (5.2) In the case of an individual, trust, or estate,
20 for taxable years beginning on or after January 1, 2015,
21 and ending prior to July 1, 2017, an amount equal to 3.75%
22 of the taxpayer's net income for the taxable year.

23 (5.3) In the case of an individual, trust, or estate,
24 for taxable years beginning prior to July 1, 2017, and
25 ending after June 30, 2017, an amount equal to the sum of
26 (i) 3.75% of the taxpayer's net income for the period

1 prior to July 1, 2017, as calculated under Section 202.5,
2 and (ii) 4.95% of the taxpayer's net income for the period
3 after June 30, 2017, as calculated under Section 202.5.

4 (5.4) In the case of an individual, trust, or estate,
5 for taxable years beginning on or after July 1, 2017, an
6 amount equal to 4.95% of the taxpayer's net income for the
7 taxable year.

8 (6) In the case of a corporation, for taxable years
9 ending prior to July 1, 1989, an amount equal to 4% of the
10 taxpayer's net income for the taxable year.

11 (7) In the case of a corporation, for taxable years
12 beginning prior to July 1, 1989 and ending after June 30,
13 1989, an amount equal to the sum of (i) 4% of the
14 taxpayer's net income for the period prior to July 1,
15 1989, as calculated under Section 202.3, and (ii) 4.8% of
16 the taxpayer's net income for the period after June 30,
17 1989, as calculated under Section 202.3.

18 (8) In the case of a corporation, for taxable years
19 beginning after June 30, 1989, and ending prior to January
20 1, 2011, an amount equal to 4.8% of the taxpayer's net
21 income for the taxable year.

22 (9) In the case of a corporation, for taxable years
23 beginning prior to January 1, 2011, and ending after
24 December 31, 2010, an amount equal to the sum of (i) 4.8%
25 of the taxpayer's net income for the period prior to
26 January 1, 2011, as calculated under Section 202.5, and

1 (ii) 7% of the taxpayer's net income for the period after
2 December 31, 2010, as calculated under Section 202.5.

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

7 (11) In the case of a corporation, for taxable years
8 beginning prior to January 1, 2015, and ending after
9 December 31, 2014, an amount equal to the sum of (i) 7% of
10 the taxpayer's net income for the period prior to January
11 1, 2015, as calculated under Section 202.5, and (ii) 5.25%
12 of the taxpayer's net income for the period after December
13 31, 2014, as calculated under Section 202.5.

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

18 (13) In the case of a corporation, for taxable years
19 beginning prior to July 1, 2017, and ending after June 30,
20 2017, an amount equal to the sum of (i) 5.25% of the
21 taxpayer's net income for the period prior to July 1,
22 2017, as calculated under Section 202.5, and (ii) 7% of
23 the taxpayer's net income for the period after June 30,
24 2017, as calculated under Section 202.5.

25 (14) In the case of a corporation, for taxable years
26 beginning on or after July 1, 2017, an amount equal to 7%

1 of the taxpayer's net income for the taxable year.

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

4 (b-5) Surcharge; sale or exchange of assets, properties,
5 and intangibles of organization gaming licensees. For each of
6 taxable years 2019 through 2027, a surcharge is imposed on all
7 taxpayers on income arising from the sale or exchange of
8 capital assets, depreciable business property, real property
9 used in the trade or business, and Section 197 intangibles (i)
10 of an organization licensee under the Illinois Horse Racing
11 Act of 1975 and (ii) of an organization gaming licensee under
12 the Illinois Gambling Act. The amount of the surcharge is
13 equal to the amount of federal income tax liability for the
14 taxable year attributable to those sales and exchanges. The
15 surcharge imposed shall not apply if:

16 (1) the organization gaming license, organization
17 license, or racetrack property is transferred as a result
18 of any of the following:

19 (A) bankruptcy, a receivership, or a debt
20 adjustment initiated by or against the initial
21 licensee or the substantial owners of the initial
22 licensee;

23 (B) cancellation, revocation, or termination of
24 any such license by the Illinois Gaming Board or the
25 Illinois Racing Board;

26 (C) a determination by the Illinois Gaming Board

1 that transfer of the license is in the best interests
2 of Illinois gaming;

3 (D) the death of an owner of the equity interest in
4 a licensee;

5 (E) the acquisition of a controlling interest in
6 the stock or substantially all of the assets of a
7 publicly traded company;

8 (F) a transfer by a parent company to a wholly
9 owned subsidiary; or

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

13 (2) the controlling interest in the organization
14 gaming license, organization license, or racetrack
15 property is transferred in a transaction to lineal
16 descendants in which no gain or loss is recognized or as a
17 result of a transaction in accordance with Section 351 of
18 the Internal Revenue Code in which no gain or loss is
19 recognized; or

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

24 The transfer of an organization gaming license,
25 organization license, or racetrack property by a person other
26 than the initial licensee to receive the organization gaming

1 license is not subject to a surcharge. The Department shall
2 adopt rules necessary to implement and administer this
3 subsection.

4 (c) Personal Property Tax Replacement Income Tax.
5 Beginning on July 1, 1979 and thereafter, in addition to such
6 income tax, there is also hereby imposed the Personal Property
7 Tax Replacement Income Tax measured by net income on every
8 corporation (including Subchapter S corporations), partnership
9 and trust, for each taxable year ending after June 30, 1979.
10 Such taxes are imposed on the privilege of earning or
11 receiving income in or as a resident of this State. The
12 Personal Property Tax Replacement Income Tax shall be in
13 addition to the income tax imposed by subsections (a) and (b)
14 of this Section and in addition to all other occupation or
15 privilege taxes imposed by this State or by any municipal
16 corporation or political subdivision thereof.

17 (d) Additional Personal Property Tax Replacement Income
18 Tax Rates. The personal property tax replacement income tax
19 imposed by this subsection and subsection (c) of this Section
20 in the case of a corporation, other than a Subchapter S
21 corporation and except as adjusted by subsection (d-1), shall
22 be an additional amount equal to 2.85% of such taxpayer's net
23 income for the taxable year, except that beginning on January
24 1, 1981, and thereafter, the rate of 2.85% specified in this
25 subsection shall be reduced to 2.5%, and in the case of a
26 partnership, trust or a Subchapter S corporation shall be an

1 additional amount equal to 1.5% of such taxpayer's net income
2 for the taxable year.

3 (d-1) Rate reduction for certain foreign insurers. In the
4 case of a foreign insurer, as defined by Section 35A-5 of the
5 Illinois Insurance Code, whose state or country of domicile
6 imposes on insurers domiciled in Illinois a retaliatory tax
7 (excluding any insurer whose premiums from reinsurance assumed
8 are 50% or more of its total insurance premiums as determined
9 under paragraph (2) of subsection (b) of Section 304, except
10 that for purposes of this determination premiums from
11 reinsurance do not include premiums from inter-affiliate
12 reinsurance arrangements), beginning with taxable years ending
13 on or after December 31, 1999, the sum of the rates of tax
14 imposed by subsections (b) and (d) shall be reduced (but not
15 increased) to the rate at which the total amount of tax imposed
16 under this Act, net of all credits allowed under this Act,
17 shall equal (i) the total amount of tax that would be imposed
18 on the foreign insurer's net income allocable to Illinois for
19 the taxable year by such foreign insurer's state or country of
20 domicile if that net income were subject to all income taxes
21 and taxes measured by net income imposed by such foreign
22 insurer's state or country of domicile, net of all credits
23 allowed or (ii) a rate of zero if no such tax is imposed on
24 such income by the foreign insurer's state of domicile. For
25 the purposes of this subsection (d-1), an inter-affiliate
26 includes a mutual insurer under common management.

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

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

7 (B) the privilege tax imposed by Section 409 of
8 the Illinois Insurance Code, the fire insurance
9 company tax imposed by Section 12 of the Fire
10 Investigation Act, and the fire department taxes
11 imposed under Section 11-10-1 of the Illinois
12 Municipal Code,

13 equals 1.25% for taxable years ending prior to December
14 31, 2003, or 1.75% for taxable years ending on or after
15 December 31, 2003, of the net taxable premiums written for
16 the taxable year, as described by subsection (1) of
17 Section 409 of the Illinois Insurance Code. This paragraph
18 will in no event increase the rates imposed under
19 subsections (b) and (d).

20 (2) Any reduction in the rates of tax imposed by this
21 subsection shall be applied first against the rates
22 imposed by subsection (b) and only after the tax imposed
23 by subsection (a) net of all credits allowed under this
24 Section other than the credit allowed under subsection (i)
25 has been reduced to zero, against the rates imposed by
26 subsection (d).

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

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

6 (1) A taxpayer shall be allowed a credit equal to .5%
7 of the basis of qualified property placed in service
8 during the taxable year, provided such property is placed
9 in service on or after July 1, 1984. There shall be allowed
10 an additional credit equal to .5% of the basis of
11 qualified property placed in service during the taxable
12 year, provided such property is placed in service on or
13 after July 1, 1986, and the taxpayer's base employment
14 within Illinois has increased by 1% or more over the
15 preceding year as determined by the taxpayer's employment
16 records filed with the Illinois Department of Employment
17 Security. Taxpayers who are new to Illinois shall be
18 deemed to have met the 1% growth in base employment for the
19 first year in which they file employment records with the
20 Illinois Department of Employment Security. The provisions
21 added to this Section by Public Act 85-1200 (and restored
22 by Public Act 87-895) shall be construed as declaratory of
23 existing law and not as a new enactment. If, in any year,
24 the increase in base employment within Illinois over the
25 preceding year is less than 1%, the additional credit
26 shall be limited to that percentage times a fraction, the

1 numerator of which is .5% and the denominator of which is
2 1%, but shall not exceed .5%. The investment credit shall
3 not be allowed to the extent that it would reduce a
4 taxpayer's liability in any tax year below zero, nor may
5 any credit for qualified property be allowed for any year
6 other than the year in which the property was placed in
7 service in Illinois. For tax years ending on or after
8 December 31, 1987, and on or before December 31, 1988, the
9 credit shall be allowed for the tax year in which the
10 property is placed in service, or, if the amount of the
11 credit exceeds the tax liability for that year, whether it
12 exceeds the original liability or the liability as later
13 amended, such excess may be carried forward and applied to
14 the tax liability of the 5 taxable years following the
15 excess credit years if the taxpayer (i) makes investments
16 which cause the creation of a minimum of 2,000 full-time
17 equivalent jobs in Illinois, (ii) is located in an
18 enterprise zone established pursuant to the Illinois
19 Enterprise Zone Act and (iii) is certified by the
20 Department of Commerce and Community Affairs (now
21 Department of Commerce and Economic Opportunity) as
22 complying with the requirements specified in clause (i)
23 and (ii) by July 1, 1986. The Department of Commerce and
24 Community Affairs (now Department of Commerce and Economic
25 Opportunity) shall notify the Department of Revenue of all
26 such certifications immediately. For tax years ending

1 after December 31, 1988, the credit shall be allowed for
2 the tax year in which the property is placed in service,
3 or, if the amount of the credit exceeds the tax liability
4 for that year, whether it exceeds the original liability
5 or the liability as later amended, such excess may be
6 carried forward and applied to the tax liability of the 5
7 taxable years following the excess credit years. The
8 credit shall be applied to the earliest year for which
9 there is a liability. If there is credit from more than one
10 tax year that is available to offset a liability, earlier
11 credit shall be applied first.

12 (2) The term "qualified property" means property
13 which:

14 (A) is tangible, whether new or used, including
15 buildings and structural components of buildings and
16 signs that are real property, but not including land
17 or improvements to real property that are not a
18 structural component of a building such as
19 landscaping, sewer lines, local access roads, fencing,
20 parking lots, and other appurtenances;

21 (B) is depreciable pursuant to Section 167 of the
22 Internal Revenue Code, except that "3-year property"
23 as defined in Section 168(c)(2)(A) of that Code is not
24 eligible for the credit provided by this subsection
25 (e);

26 (C) is acquired by purchase as defined in Section

1 179(d) of the Internal Revenue Code;

2 (D) is used in Illinois by a taxpayer who is
3 primarily engaged in manufacturing, or in mining coal
4 or fluorite, or in retailing, or was placed in service
5 on or after July 1, 2006 in a River Edge Redevelopment
6 Zone established pursuant to the River Edge
7 Redevelopment Zone Act; and

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

12 (3) For purposes of this subsection (e),
13 "manufacturing" means the material staging and production
14 of tangible personal property by procedures commonly
15 regarded as manufacturing, processing, fabrication, or
16 assembling which changes some existing material into new
17 shapes, new qualities, or new combinations. For purposes
18 of this subsection (e) the term "mining" shall have the
19 same meaning as the term "mining" in Section 613(c) of the
20 Internal Revenue Code. For purposes of this subsection
21 (e), the term "retailing" means the sale of tangible
22 personal property for use or consumption and not for
23 resale, or services rendered in conjunction with the sale
24 of tangible personal property for use or consumption and
25 not for resale. For purposes of this subsection (e),
26 "tangible personal property" has the same meaning as when

1 that term is used in the Retailers' Occupation Tax Act,
2 and, for taxable years ending after December 31, 2008,
3 does not include the generation, transmission, or
4 distribution of electricity.

5 (4) The basis of qualified property shall be the basis
6 used to compute the depreciation deduction for federal
7 income tax purposes.

8 (5) If the basis of the property for federal income
9 tax depreciation purposes is increased after it has been
10 placed in service in Illinois by the taxpayer, the amount
11 of such increase shall be deemed property placed in
12 service on the date of such increase in basis.

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

15 (7) If during any taxable year, any property ceases to
16 be qualified property in the hands of the taxpayer within
17 48 months after being placed in service, or the situs of
18 any qualified property is moved outside Illinois within 48
19 months after being placed in service, the Personal
20 Property Tax Replacement Income Tax for such taxable year
21 shall be increased. Such increase shall be determined by
22 (i) recomputing the investment credit which would have
23 been allowed for the year in which credit for such
24 property was originally allowed by eliminating such
25 property from such computation and, (ii) subtracting such
26 recomputed credit from the amount of credit previously

1 allowed. For the purposes of this paragraph (7), a
2 reduction of the basis of qualified property resulting
3 from a redetermination of the purchase price shall be
4 deemed a disposition of qualified property to the extent
5 of such reduction.

6 (8) Unless the investment credit is extended by law,
7 the basis of qualified property shall not include costs
8 incurred after December 31, 2018, except for costs
9 incurred pursuant to a binding contract entered into on or
10 before December 31, 2018.

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

1 For taxable years ending on or after December 31,
2 2000, a partner that qualifies its partnership for a
3 subtraction under subparagraph (I) of paragraph (2) of
4 subsection (d) of Section 203 or a shareholder that
5 qualifies a Subchapter S corporation for a subtraction
6 under subparagraph (S) of paragraph (2) of subsection (b)
7 of Section 203 shall be allowed a credit under this
8 subsection (e) equal to its share of the credit earned
9 under this subsection (e) during the taxable year by the
10 partnership or Subchapter S corporation, determined in
11 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. This
14 paragraph is exempt from the provisions of Section 250.

15 (f) Investment credit; Enterprise Zone; River Edge
16 Redevelopment Zone.

17 (1) A taxpayer shall be allowed a credit against the
18 tax imposed by subsections (a) and (b) of this Section for
19 investment in qualified property which is placed in
20 service in an Enterprise Zone created pursuant to the
21 Illinois Enterprise Zone Act or, for property placed in
22 service on or after July 1, 2006, a River Edge
23 Redevelopment Zone established pursuant to the River Edge
24 Redevelopment Zone Act. For partners, shareholders of
25 Subchapter S corporations, and owners of limited liability
26 companies, if the liability company is treated as a

1 partnership for purposes of federal and State income
2 taxation, for taxable years ending before December 31,
3 2023, there shall be allowed a credit under this
4 subsection (f) to be determined in accordance with the
5 determination of income and distributive share of income
6 under Sections 702 and 704 and Subchapter S of the
7 Internal Revenue Code. For taxable years ending on or
8 after December 31, 2023, for partners and shareholders of
9 Subchapter S corporations, the provisions of Section 251
10 shall apply with respect to the credit under this
11 subsection. The credit shall be .5% of the basis for such
12 property. The credit shall be available only in the
13 taxable year in which the property is placed in service in
14 the Enterprise Zone or River Edge Redevelopment Zone and
15 shall not be allowed to the extent that it would reduce a
16 taxpayer's liability for the tax imposed by subsections
17 (a) and (b) of this Section to below zero. For tax years
18 ending on or after December 31, 1985, the credit shall be
19 allowed for the tax year in which the property is placed in
20 service, or, if the amount of the credit exceeds the tax
21 liability for that year, whether it exceeds the original
22 liability or the liability as later amended, such excess
23 may be carried forward and applied to the tax liability of
24 the 5 taxable years following the excess credit year. The
25 credit shall be applied to the earliest year for which
26 there is a liability. If there is credit from more than one

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

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

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

6 (B) is depreciable pursuant to Section 167 of the
7 Internal Revenue Code, except that "3-year property"
8 as defined in Section 168(c) (2) (A) of that Code is not
9 eligible for the credit provided by this subsection
10 (f);

11 (C) is acquired by purchase as defined in Section
12 179(d) of the Internal Revenue Code;

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

15 (E) has not been previously used in Illinois in
16 such a manner and by such a person as would qualify for
17 the credit provided by this subsection (f) or
18 subsection (e).

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

22 (4) If the basis of the property for federal income
23 tax depreciation purposes is increased after it has been
24 placed in service in the Enterprise Zone or River Edge
25 Redevelopment Zone by the taxpayer, the amount of such
26 increase shall be deemed property placed in service on the

1 date of such increase in basis.

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

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

22 (7) There shall be allowed an additional credit equal
23 to 0.5% of the basis of qualified property placed in
24 service during the taxable year in a River Edge
25 Redevelopment Zone, provided such property is placed in
26 service on or after July 1, 2006, and the taxpayer's base

1 employment within Illinois has increased by 1% or more
2 over the preceding year as determined by the taxpayer's
3 employment records filed with the Illinois Department of
4 Employment Security. Taxpayers who are new to Illinois
5 shall be deemed to have met the 1% growth in base
6 employment for the first year in which they file
7 employment records with the Illinois Department of
8 Employment Security. If, in any year, the increase in base
9 employment within Illinois over the preceding year is less
10 than 1%, the additional credit shall be limited to that
11 percentage times a fraction, the numerator of which is
12 0.5% and the denominator of which is 1%, but shall not
13 exceed 0.5%.

14 (8) For taxable years beginning on or after January 1,
15 2021, there shall be allowed an Enterprise Zone
16 construction jobs credit against the taxes imposed under
17 subsections (a) and (b) of this Section as provided in
18 Section 13 of the Illinois Enterprise Zone Act.

19 The credit or credits may not reduce the taxpayer's
20 liability to less than zero. If the amount of the credit or
21 credits exceeds the taxpayer's liability, the excess may
22 be carried forward and applied against the taxpayer's
23 liability in succeeding calendar years in the same manner
24 provided under paragraph (4) of Section 211 of this Act.
25 The credit or credits shall be applied to the earliest
26 year for which there is a tax liability. If there are

1 credits from more than one taxable year that are available
2 to offset a liability, the earlier credit shall be applied
3 first.

4 For partners, shareholders of Subchapter S
5 corporations, and owners of limited liability companies,
6 if the liability company is treated as a partnership for
7 the purposes of federal and State income taxation, for
8 taxable years ending before December 31, 2023, there shall
9 be allowed a credit under this Section to be determined in
10 accordance with the determination of income and
11 distributive share of income under Sections 702 and 704
12 and Subchapter S of the Internal Revenue Code. For taxable
13 years ending on or after December 31, 2023, for partners
14 and shareholders of Subchapter S corporations, the
15 provisions of Section 251 shall apply with respect to the
16 credit under this subsection.

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

20 This paragraph (8) is exempt from the provisions of
21 Section 250.

22 (g) (Blank).

23 (h) Investment credit; High Impact Business.

24 (1) Subject to subsections (b) and (b-5) of Section
25 5.5 of the Illinois Enterprise Zone Act, a taxpayer shall
26 be allowed a credit against the tax imposed by subsections

1 (a) and (b) of this Section for investment in qualified
2 property which is placed in service by a Department of
3 Commerce and Economic Opportunity designated High Impact
4 Business. The credit shall be .5% of the basis for such
5 property. The credit shall not be available (i) until the
6 minimum investments in qualified property set forth in
7 subdivision (a)(3)(A) of Section 5.5 of the Illinois
8 Enterprise Zone Act have been satisfied or (ii) until the
9 time authorized in subsection (b-5) of the Illinois
10 Enterprise Zone Act for entities designated as High Impact
11 Businesses under subdivisions (a)(3)(B), (a)(3)(C), and
12 (a)(3)(D) of Section 5.5 of the Illinois Enterprise Zone
13 Act, and shall not be allowed to the extent that it would
14 reduce a taxpayer's liability for the tax imposed by
15 subsections (a) and (b) of this Section to below zero. The
16 credit applicable to such investments shall be taken in
17 the taxable year in which such investments have been
18 completed. The credit for additional investments beyond
19 the minimum investment by a designated high impact
20 business authorized under subdivision (a)(3)(A) of Section
21 5.5 of the Illinois Enterprise Zone Act shall be available
22 only in the taxable year in which the property is placed in
23 service and shall not be allowed to the extent that it
24 would reduce a taxpayer's liability for the tax imposed by
25 subsections (a) and (b) of this Section to below zero. For
26 tax years ending on or after December 31, 1987, the credit

1 shall be allowed for the tax year in which the property is
2 placed in service, or, if the amount of the credit exceeds
3 the tax liability for that year, whether it exceeds the
4 original liability or the liability as later amended, such
5 excess may be carried forward and applied to the tax
6 liability of the 5 taxable years following the excess
7 credit year. The credit shall be applied to the earliest
8 year for which there is a liability. If there is credit
9 from more than one tax year that is available to offset a
10 liability, the credit accruing first in time shall be
11 applied first.

12 Changes made in this subdivision (h) (1) by Public Act
13 88-670 restore changes made by Public Act 85-1182 and
14 reflect existing law.

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

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

18 (B) is depreciable pursuant to Section 167 of the
19 Internal Revenue Code, except that "3-year property"
20 as defined in Section 168(c) (2) (A) of that Code is not
21 eligible for the credit provided by this subsection
22 (h);

23 (C) is acquired by purchase as defined in Section
24 179(d) of the Internal Revenue Code; and

25 (D) is not eligible for the Enterprise Zone
26 Investment Credit provided by subsection (f) of this

1 Section.

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

5 (4) If the basis of the property for federal income
6 tax depreciation purposes is increased after it has been
7 placed in service in a federally designated Foreign Trade
8 Zone or Sub-Zone located in Illinois by the taxpayer, the
9 amount of such increase shall be deemed property placed in
10 service on the date of such increase in basis.

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

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

1 reduction of the basis of qualified property resulting
2 from a redetermination of the purchase price shall be
3 deemed a disposition of qualified property to the extent
4 of such reduction.

5 (7) Beginning with tax years ending after December 31,
6 1996, if a taxpayer qualifies for the credit under this
7 subsection (h) and thereby is granted a tax abatement and
8 the taxpayer relocates its entire facility in violation of
9 the explicit terms and length of the contract under
10 Section 18-183 of the Property Tax Code, the tax imposed
11 under subsections (a) and (b) of this Section shall be
12 increased for the taxable year in which the taxpayer
13 relocated its facility by an amount equal to the amount of
14 credit received by the taxpayer under this subsection (h).

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

21 The credit or credits may not reduce the taxpayer's
22 liability to less than zero. If the amount of the credit or
23 credits exceeds the taxpayer's liability, the excess may be
24 carried forward and applied against the taxpayer's liability
25 in succeeding calendar years in the manner provided under
26 paragraph (4) of Section 211 of this Act. The credit or credits

1 shall be applied to the earliest year for which there is a tax
2 liability. If there are credits from more than one taxable
3 year that are available to offset a liability, the earlier
4 credit shall be applied first.

5 For partners, shareholders of Subchapter S corporations,
6 and owners of limited liability companies, for taxable years
7 ending before December 31, 2023, if the liability company is
8 treated as a partnership for the purposes of federal and State
9 income taxation, there shall be allowed a credit under this
10 Section to be determined in accordance with the determination
11 of income and distributive share of income under Sections 702
12 and 704 and Subchapter S of the Internal Revenue Code. For
13 taxable years ending on or after December 31, 2023, for
14 partners and shareholders of Subchapter S corporations, the
15 provisions of Section 251 shall apply with respect to the
16 credit under this subsection.

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

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

22 (i) Credit for Personal Property Tax Replacement Income
23 Tax. For tax years ending prior to December 31, 2003, a credit
24 shall be allowed against the tax imposed by subsections (a)
25 and (b) of this Section for the tax imposed by subsections (c)
26 and (d) of this Section. This credit shall be computed by

1 multiplying the tax imposed by subsections (c) and (d) of this
2 Section by a fraction, the numerator of which is base income
3 allocable to Illinois and the denominator of which is Illinois
4 base income, and further multiplying the product by the tax
5 rate imposed by subsections (a) and (b) of this Section.

6 Any credit earned on or after December 31, 1986 under this
7 subsection which is unused in the year the credit is computed
8 because it exceeds the tax liability imposed by subsections
9 (a) and (b) for that year (whether it exceeds the original
10 liability or the liability as later amended) may be carried
11 forward and applied to the tax liability imposed by
12 subsections (a) and (b) of the 5 taxable years following the
13 excess credit year, provided that no credit may be carried
14 forward to any year ending on or after December 31, 2003. This
15 credit shall be applied first to the earliest year for which
16 there is a liability. If there is a credit under this
17 subsection from more than one tax year that is available to
18 offset a liability the earliest credit arising under this
19 subsection shall be applied first.

20 If, during any taxable year ending on or after December
21 31, 1986, the tax imposed by subsections (c) and (d) of this
22 Section for which a taxpayer has claimed a credit under this
23 subsection (i) is reduced, the amount of credit for such tax
24 shall also be reduced. Such reduction shall be determined by
25 recomputing the credit to take into account the reduced tax
26 imposed by subsections (c) and (d). If any portion of the

1 reduced amount of credit has been carried to a different
2 taxable year, an amended return shall be filed for such
3 taxable year to reduce the amount of credit claimed.

4 (j) Training expense credit. Beginning with tax years
5 ending on or after December 31, 1986 and prior to December 31,
6 2003, a taxpayer shall be allowed a credit against the tax
7 imposed by subsections (a) and (b) under this Section for all
8 amounts paid or accrued, on behalf of all persons employed by
9 the taxpayer in Illinois or Illinois residents employed
10 outside of Illinois by a taxpayer, for educational or
11 vocational training in semi-technical or technical fields or
12 semi-skilled or skilled fields, which were deducted from gross
13 income in the computation of taxable income. The credit
14 against the tax imposed by subsections (a) and (b) shall be
15 1.6% of such training expenses. For partners, shareholders of
16 subchapter S corporations, and owners of limited liability
17 companies, if the liability company is treated as a
18 partnership for purposes of federal and State income taxation,
19 for taxable years ending before December 31, 2023, there shall
20 be allowed a credit under this subsection (j) to be determined
21 in accordance with the determination of income and
22 distributive share of income under Sections 702 and 704 and
23 subchapter S of the Internal Revenue Code. For taxable years
24 ending on or after December 31, 2023, for partners and
25 shareholders of Subchapter S corporations, the provisions of
26 Section 251 shall apply with respect to the credit under this

1 subsection.

2 Any credit allowed under this subsection which is unused
3 in the year the credit is earned may be carried forward to each
4 of the 5 taxable years following the year for which the credit
5 is first computed until it is used. This credit shall be
6 applied first to the earliest year for which there is a
7 liability. If there is a credit under this subsection from
8 more than one tax year that is available to offset a liability,
9 the earliest credit arising under this subsection shall be
10 applied first. No carryforward credit may be claimed in any
11 tax year ending on or after December 31, 2003.

12 (k) Research and development credit. For tax years ending
13 after July 1, 1990 and prior to December 31, 2003, and
14 beginning again for tax years ending on or after December 31,
15 2004, and ending prior to January 1, 2032, a taxpayer shall be
16 allowed a credit against the tax imposed by subsections (a)
17 and (b) of this Section for increasing research activities in
18 this State. The credit allowed against the tax imposed by
19 subsections (a) and (b) shall be equal to 6 1/2% of the
20 qualifying expenditures for increasing research activities in
21 this State. For partners, shareholders of subchapter S
22 corporations, and owners of limited liability companies, if
23 the liability company is treated as a partnership for purposes
24 of federal and State income taxation, for taxable years ending
25 before December 31, 2023, there shall be allowed a credit
26 under this subsection to be determined in accordance with the

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

7 For purposes of this subsection, "qualifying expenditures"
8 means the qualifying expenditures as defined for the federal
9 credit for increasing research activities which would be
10 allowable under Section 41 of the Internal Revenue Code and
11 which are conducted in this State, "qualifying expenditures
12 for increasing research activities in this State" means the
13 excess of qualifying expenditures for the taxable year in
14 which incurred over qualifying expenditures for the base
15 period, "qualifying expenditures for the base period" means
16 the average of the qualifying expenditures for each year in
17 the base period, and "base period" means the 3 taxable years
18 immediately preceding the taxable year for which the
19 determination is being made.

20 Any credit in excess of the tax liability for the taxable
21 year may be carried forward. A taxpayer may elect to have the
22 unused credit shown on its final completed return carried over
23 as a credit against the tax liability for the following 5
24 taxable years or until it has been fully used, whichever
25 occurs first; provided that no credit earned in a tax year
26 ending prior to December 31, 2003 may be carried forward to any

1 year ending on or after December 31, 2003.

2 If an unused credit is carried forward to a given year from
3 2 or more earlier years, that credit arising in the earliest
4 year will be applied first against the tax liability for the
5 given year. If a tax liability for the given year still
6 remains, the credit from the next earliest year will then be
7 applied, and so on, until all credits have been used or no tax
8 liability for the given year remains. Any remaining unused
9 credit or credits then will be carried forward to the next
10 following year in which a tax liability is incurred, except
11 that no credit can be carried forward to a year which is more
12 than 5 years after the year in which the expense for which the
13 credit is given was incurred.

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

17 It is the intent of the General Assembly that the research
18 and development credit under this subsection (k) shall apply
19 continuously for all tax years ending on or after December 31,
20 2004 and ending prior to January 1, 2032, including, but not
21 limited to, the period beginning on January 1, 2016 and ending
22 on July 6, 2017 (the effective date of Public Act 100-22). All
23 actions taken in reliance on the continuation of the credit
24 under this subsection (k) by any taxpayer are hereby
25 validated.

26 (1) Environmental Remediation Tax Credit.

1 (i) For tax years ending after December 31, 1997 and
2 on or before December 31, 2001, a taxpayer shall be
3 allowed a credit against the tax imposed by subsections
4 (a) and (b) of this Section for certain amounts paid for
5 unreimbursed eligible remediation costs, as specified in
6 this subsection. For purposes of this Section,
7 "unreimbursed eligible remediation costs" means costs
8 approved by the Illinois Environmental Protection Agency
9 ("Agency") under Section 58.14 of the Environmental
10 Protection Act that were paid in performing environmental
11 remediation at a site for which a No Further Remediation
12 Letter was issued by the Agency and recorded under Section
13 58.10 of the Environmental Protection Act. The credit must
14 be claimed for the taxable year in which Agency approval
15 of the eligible remediation costs is granted. The credit
16 is not available to any taxpayer if the taxpayer or any
17 related party caused or contributed to, in any material
18 respect, a release of regulated substances on, in, or
19 under the site that was identified and addressed by the
20 remedial action pursuant to the Site Remediation Program
21 of the Environmental Protection Act. After the Pollution
22 Control Board rules are adopted pursuant to the Illinois
23 Administrative Procedure Act for the administration and
24 enforcement of Section 58.9 of the Environmental
25 Protection Act, determinations as to credit availability
26 for purposes of this Section shall be made consistent with

1 those rules. For purposes of this Section, "taxpayer"
2 includes a person whose tax attributes the taxpayer has
3 succeeded to under Section 381 of the Internal Revenue
4 Code and "related party" includes the persons disallowed a
5 deduction for losses by paragraphs (b), (c), and (f)(1) of
6 Section 267 of the Internal Revenue Code by virtue of
7 being a related taxpayer, as well as any of its partners.
8 The credit allowed against the tax imposed by subsections
9 (a) and (b) shall be equal to 25% of the unreimbursed
10 eligible remediation costs in excess of \$100,000 per site,
11 except that the \$100,000 threshold shall not apply to any
12 site contained in an enterprise zone as determined by the
13 Department of Commerce and Community Affairs (now
14 Department of Commerce and Economic Opportunity). The
15 total credit allowed shall not exceed \$40,000 per year
16 with a maximum total of \$150,000 per site. For partners
17 and shareholders of subchapter S corporations, there shall
18 be allowed a credit under this subsection to be determined
19 in accordance with the determination of income and
20 distributive share of income under Sections 702 and 704
21 and subchapter S of the Internal Revenue Code.

22 (ii) A credit allowed under this subsection that is
23 unused in the year the credit is earned may be carried
24 forward to each of the 5 taxable years following the year
25 for which the credit is first earned until it is used. The
26 term "unused credit" does not include any amounts of

1 unreimbursed eligible remediation costs in excess of the
2 maximum credit per site authorized under paragraph (i).
3 This credit shall be applied first to the earliest year
4 for which there is a liability. If there is a credit under
5 this subsection from more than one tax year that is
6 available to offset a liability, the earliest credit
7 arising under this subsection shall be applied first. A
8 credit allowed under this subsection may be sold to a
9 buyer as part of a sale of all or part of the remediation
10 site for which the credit was granted. The purchaser of a
11 remediation site and the tax credit shall succeed to the
12 unused credit and remaining carry-forward period of the
13 seller. To perfect the transfer, the assignor shall record
14 the transfer in the chain of title for the site and provide
15 written notice to the Director of the Illinois Department
16 of Revenue of the assignor's intent to sell the
17 remediation site and the amount of the tax credit to be
18 transferred as a portion of the sale. In no event may a
19 credit be transferred to any taxpayer if the taxpayer or a
20 related party would not be eligible under the provisions
21 of subsection (i).

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

25 (m) Education expense credit. Beginning with tax years
26 ending after December 31, 1999, a taxpayer who is the

1 custodian of one or more qualifying pupils shall be allowed a
2 credit against the tax imposed by subsections (a) and (b) of
3 this Section for qualified education expenses incurred on
4 behalf of the qualifying pupils. The credit shall be equal to
5 25% of qualified education expenses, but in no event may the
6 total credit under this subsection claimed by a family that is
7 the custodian of qualifying pupils exceed (i) \$500 for tax
8 years ending prior to December 31, 2017, and (ii) \$750 for tax
9 years ending on or after December 31, 2017. In no event shall a
10 credit under this subsection reduce the taxpayer's liability
11 under this Act to less than zero. Notwithstanding any other
12 provision of law, for taxable years beginning on or after
13 January 1, 2017, no taxpayer may claim a credit under this
14 subsection (m) if the taxpayer's adjusted gross income for the
15 taxable year exceeds (i) \$500,000, in the case of spouses
16 filing a joint federal tax return or (ii) \$250,000, in the case
17 of all other taxpayers. This subsection is exempt from the
18 provisions of Section 250 of this Act.

19 For purposes of this subsection:

20 "Qualifying pupils" means individuals who (i) are
21 residents of the State of Illinois, (ii) are under the age of
22 21 at the close of the school year for which a credit is
23 sought, and (iii) during the school year for which a credit is
24 sought were full-time pupils enrolled in a kindergarten
25 through twelfth grade education program at any school, as
26 defined in this subsection.

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

5 "School" means any public or nonpublic elementary or
6 secondary school in Illinois that is in compliance with Title
7 VI of the Civil Rights Act of 1964 and attendance at which
8 satisfies the requirements of Section 26-1 of the School Code,
9 except that nothing shall be construed to require a child to
10 attend any particular public or nonpublic school to qualify
11 for the credit under this Section.

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

15 (n) River Edge Redevelopment Zone site remediation tax
16 credit.

17 (i) For tax years ending on or after December 31,
18 2006, a taxpayer shall be allowed a credit against the tax
19 imposed by subsections (a) and (b) of this Section for
20 certain amounts paid for unreimbursed eligible remediation
21 costs, as specified in this subsection. For purposes of
22 this Section, "unreimbursed eligible remediation costs"
23 means costs approved by the Illinois Environmental
24 Protection Agency ("Agency") under Section 58.14a of the
25 Environmental Protection Act that were paid in performing
26 environmental remediation at a site within a River Edge

1 Redevelopment Zone for which a No Further Remediation
2 Letter was issued by the Agency and recorded under Section
3 58.10 of the Environmental Protection Act. The credit must
4 be claimed for the taxable year in which Agency approval
5 of the eligible remediation costs is granted. The credit
6 is not available to any taxpayer if the taxpayer or any
7 related party caused or contributed to, in any material
8 respect, a release of regulated substances on, in, or
9 under the site that was identified and addressed by the
10 remedial action pursuant to the Site Remediation Program
11 of the Environmental Protection Act. Determinations as to
12 credit availability for purposes of this Section shall be
13 made consistent with rules adopted by the Pollution
14 Control Board pursuant to the Illinois Administrative
15 Procedure Act for the administration and enforcement of
16 Section 58.9 of the Environmental Protection Act. For
17 purposes of this Section, "taxpayer" includes a person
18 whose tax attributes the taxpayer has succeeded to under
19 Section 381 of the Internal Revenue Code and "related
20 party" includes the persons disallowed a deduction for
21 losses by paragraphs (b), (c), and (f)(1) of Section 267
22 of the Internal Revenue Code by virtue of being a related
23 taxpayer, as well as any of its partners. The credit
24 allowed against the tax imposed by subsections (a) and (b)
25 shall be equal to 25% of the unreimbursed eligible
26 remediation costs in excess of \$100,000 per site.

1 (ii) A credit allowed under this subsection that is
2 unused in the year the credit is earned may be carried
3 forward to each of the 5 taxable years following the year
4 for which the credit is first earned until it is used. This
5 credit shall be applied first to the earliest year for
6 which there is a liability. If there is a credit under this
7 subsection from more than one tax year that is available
8 to offset a liability, the earliest credit arising under
9 this subsection shall be applied first. A credit allowed
10 under this subsection may be sold to a buyer as part of a
11 sale of all or part of the remediation site for which the
12 credit was granted. The purchaser of a remediation site
13 and the tax credit shall succeed to the unused credit and
14 remaining carry-forward period of the seller. To perfect
15 the transfer, the assignor shall record the transfer in
16 the chain of title for the site and provide written notice
17 to the Director of the Illinois Department of Revenue of
18 the assignor's intent to sell the remediation site and the
19 amount of the tax credit to be transferred as a portion of
20 the sale. In no event may a credit be transferred to any
21 taxpayer if the taxpayer or a related party would not be
22 eligible under the provisions of subsection (i).

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

26 (o) For each of taxable years during the Compassionate Use

1 of Medical Cannabis Program, a surcharge is imposed on all
2 taxpayers on income arising from the sale or exchange of
3 capital assets, depreciable business property, real property
4 used in the trade or business, and Section 197 intangibles of
5 an organization registrant under the Compassionate Use of
6 Medical Cannabis Program Act. The amount of the surcharge is
7 equal to the amount of federal income tax liability for the
8 taxable year attributable to those sales and exchanges. The
9 surcharge imposed does not apply if:

10 (1) the medical cannabis cultivation center
11 registration, medical cannabis dispensary registration, or
12 the property of a registration is transferred as a result
13 of any of the following:

14 (A) bankruptcy, a receivership, or a debt
15 adjustment initiated by or against the initial
16 registration or the substantial owners of the initial
17 registration;

18 (B) cancellation, revocation, or termination of
19 any registration by the Illinois Department of Public
20 Health;

21 (C) a determination by the Illinois Department of
22 Public Health that transfer of the registration is in
23 the best interests of Illinois qualifying patients as
24 defined by the Compassionate Use of Medical Cannabis
25 Program Act;

26 (D) the death of an owner of the equity interest in

1 a registrant;

2 (E) the acquisition of a controlling interest in
3 the stock or substantially all of the assets of a
4 publicly traded company;

5 (F) a transfer by a parent company to a wholly
6 owned subsidiary; or

7 (G) the transfer or sale to or by one person to
8 another person where both persons were initial owners
9 of the registration when the registration was issued;
10 or

11 (2) the cannabis cultivation center registration,
12 medical cannabis dispensary registration, or the
13 controlling interest in a registrant's property is
14 transferred in a transaction to lineal descendants in
15 which no gain or loss is recognized or as a result of a
16 transaction in accordance with Section 351 of the Internal
17 Revenue Code in which no gain or loss is recognized.

18 (p) Pass-through entity tax.

19 (1) For taxable years ending on or after December 31,
20 2021 and beginning prior to January 1, 2037, a partnership
21 (other than a publicly traded partnership under Section
22 7704 of the Internal Revenue Code) or Subchapter S
23 corporation may elect to apply the provisions of this
24 subsection. A separate election shall be made for each
25 taxable year. Such election shall be made at such time,
26 and in such form and manner as prescribed by the

1 Department, and, once made, is irrevocable.

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

8 (3) Net income defined.

9 (A) In general. For purposes of paragraph (2), the
10 term net income has the same meaning as defined in
11 Section 202 of this Act, except that, for tax years
12 ending on or after December 31, 2023, a deduction
13 shall be allowed in computing base income for
14 distributions to a retired partner to the extent that
15 the partner's distributions are exempt from tax under
16 Section 203(a)(2)(F) of this Act. In addition, the
17 following modifications shall not apply:

18 (i) the standard exemption allowed under
19 Section 204;

20 (ii) the deduction for net losses allowed
21 under Section 207;

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

24 (iv) in the case of a partnership, the
25 modifications under Section 203(d)(2)(H) and
26 Section 203(d)(2)(I).

1 (B) Special rule for tiered partnerships. If a
2 taxpayer making the election under paragraph (1) is a
3 partner of another taxpayer making the election under
4 paragraph (1), net income shall be computed as
5 provided in subparagraph (A), except that the taxpayer
6 shall subtract its distributive share of the net
7 income of the electing partnership (including its
8 distributive share of the net income of the electing
9 partnership derived as a distributive share from
10 electing partnerships in which it is a partner).

11 (4) Credit for entity level tax. Each partner or
12 shareholder of a taxpayer making the election under this
13 Section shall be allowed a credit against the tax imposed
14 under subsections (a) and (b) of Section 201 of this Act
15 for the taxable year of the partnership or Subchapter S
16 corporation for which an election is in effect ending
17 within or with the taxable year of the partner or
18 shareholder in an amount equal to 4.95% times the partner
19 or shareholder's distributive share of the net income of
20 the electing partnership or Subchapter S corporation, but
21 not to exceed the partner's or shareholder's share of the
22 tax imposed under paragraph (1) which is actually paid by
23 the partnership or Subchapter S corporation. If the
24 taxpayer is a partnership or Subchapter S corporation that
25 is itself a partner of a partnership making the election
26 under paragraph (1), the credit under this paragraph shall

1 be allowed to the taxpayer's partners or shareholders (or
2 if the partner is a partnership or Subchapter S
3 corporation then its partners or shareholders) in
4 accordance with the determination of income and
5 distributive share of income under Sections 702 and 704
6 and Subchapter S of the Internal Revenue Code. If the
7 amount of the credit allowed under this paragraph exceeds
8 the partner's or shareholder's liability for tax imposed
9 under subsections (a) and (b) of Section 201 of this Act
10 for the taxable year, such excess shall be treated as an
11 overpayment for purposes of Section 909 of this Act.

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

25 (6) Liability for tax. Except as provided in this
26 paragraph, a partnership or Subchapter S making the

1 election under paragraph (1) is liable for the
2 entity-level tax imposed under paragraph (2). If the
3 electing partnership or corporation fails to pay the full
4 amount of tax deemed assessed under paragraph (2), the
5 partners or shareholders shall be liable to pay the tax
6 assessed (including penalties and interest). Each partner
7 or shareholder shall be liable for the unpaid assessment
8 based on the ratio of the partner's or shareholder's share
9 of the net income of the partnership over the total net
10 income of the partnership. If the partnership or
11 Subchapter S corporation fails to pay the tax assessed
12 (including penalties and interest) and thereafter an
13 amount of such tax is paid by the partners or
14 shareholders, such amount shall not be collected from the
15 partnership or corporation.

16 (7) Foreign tax. For purposes of the credit allowed
17 under Section 601(b)(3) of this Act, tax paid by a
18 partnership or Subchapter S corporation to another state
19 which, as determined by the Department, is substantially
20 similar to the tax imposed under this subsection, shall be
21 considered tax paid by the partner or shareholder to the
22 extent that the partner's or shareholder's share of the
23 income of the partnership or Subchapter S corporation
24 allocated and apportioned to such other state bears to the
25 total income of the partnership or Subchapter S
26 corporation allocated or apportioned to such other state.

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

5 (9) Requirement to pay estimated tax. For each taxable
6 year for which an election under paragraph (1) is in
7 effect, a partnership or Subchapter S corporation is
8 required to pay estimated tax for such taxable year under
9 Sections 803 and 804 of this Act if the amount payable as
10 estimated tax can reasonably be expected to exceed \$500.

11 (10) The provisions of this subsection shall apply
12 only with respect to taxable years for which the
13 limitation on individual deductions applies under Section
14 164(b) (6) of the Internal Revenue Code.

15 (Source: P.A. 103-9, eff. 6-7-23; 103-396, eff. 1-1-24;
16 103-595, eff. 6-26-24; 103-605, eff. 7-1-24; 104-453, eff.
17 12-12-25.)

18 (35 ILCS 5/220)

19 Sec. 220. Angel investment credit.

20 (a) As used in this Section:

21 "Applicant" means a corporation, partnership, limited
22 liability company, or a natural person that makes an
23 investment in a qualified new business venture. The term
24 "applicant" does not include (i) a corporation, partnership,
25 limited liability company, or a natural person who has a

1 direct or indirect ownership interest of at least 51% in the
2 profits, capital, or value of the qualified new business
3 venture receiving the investment or (ii) a related member.

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

6 "Department" means the Department of Commerce and Economic
7 Opportunity.

8 "Investment" means money (or its equivalent) given to a
9 qualified new business venture, at a risk of loss, in
10 consideration for an equity interest of the qualified new
11 business venture. The Department may adopt rules to permit
12 certain forms of contingent equity investments to be
13 considered eligible for a tax credit under this Section.

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

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

18 (1) An individual, if the individual and the members
19 of the individual's family (as defined in Section 318 of
20 the Internal Revenue Code) own directly, indirectly,
21 beneficially, or constructively, in the aggregate, at
22 least 50% of the value of the outstanding profits,
23 capital, stock, or other ownership interest in the
24 qualified new business venture that is the recipient of
25 the applicant's investment.

26 (2) A partnership, estate, or trust and any partner or

1 beneficiary, if the partnership, estate, or trust and its
2 partners or beneficiaries own directly, indirectly,
3 beneficially, or constructively, in the aggregate, at
4 least 50% of the profits, capital, stock, or other
5 ownership interest in the qualified new business venture
6 that is the recipient of the applicant's investment.

7 (3) A corporation, and any party related to the
8 corporation in a manner that would require an attribution
9 of stock from the corporation under the attribution rules
10 of Section 318 of the Internal Revenue Code, if the
11 applicant and any other related member own, in the
12 aggregate, directly, indirectly, beneficially, or
13 constructively, at least 50% of the value of the
14 outstanding stock of the qualified new business venture
15 that is the recipient of the applicant's investment.

16 (4) A corporation and any party related to that
17 corporation in a manner that would require an attribution
18 of stock from the corporation to the party or from the
19 party to the corporation under the attribution rules of
20 Section 318 of the Internal Revenue Code, if the
21 corporation and all such related parties own, in the
22 aggregate, at least 50% of the profits, capital, stock, or
23 other ownership interest in the qualified new business
24 venture that is the recipient of the applicant's
25 investment.

26 (5) A person to or from whom there is attribution of

1 ownership of stock in the qualified new business venture
2 that is the recipient of the applicant's investment in
3 accordance with Section 1563(e) of the Internal Revenue
4 Code, except that for purposes of determining whether a
5 person is a related member under this paragraph, "20%"
6 shall be substituted for "5%" whenever "5%" appears in
7 Section 1563(e) of the Internal Revenue Code.

8 (b) For taxable years beginning after December 31, 2010,
9 and ending on or before December 31, 2032 ~~December 31, 2026~~,
10 subject to the limitations provided in this Section, a
11 claimant may claim, as a credit against the tax imposed under
12 subsections (a) and (b) of Section 201 of this Act, an amount
13 equal to 25% of the claimant's investment made directly in a
14 qualified new business venture. However, the amount of the
15 credit is 35% of the claimant's investment made directly in
16 the qualified new business venture if the investment is made
17 in: (1) a qualified new business venture that is a
18 minority-owned business, a women-owned business, or a business
19 owned a person with a disability (as those terms are used and
20 defined in the Business Enterprise for Minorities, Women, and
21 Persons with Disabilities Act); or (2) a qualified new
22 business venture in which the principal place of business is
23 located in a county with a population of not more than 250,000.
24 In order for an investment in a qualified new business venture
25 to be eligible for tax credits, the business must have applied
26 for and received certification under subsection (e) for the

1 taxable year in which the investment was made prior to the date
2 on which the investment was made. The credit under this
3 Section may not exceed the taxpayer's Illinois income tax
4 liability for the taxable year. If the amount of the credit
5 exceeds the tax liability for the year, the excess may be
6 carried forward and applied to the tax liability of the 5
7 taxable years following the excess credit year. The credit
8 shall be applied to the earliest year for which there is a tax
9 liability. If there are credits from more than one tax year
10 that are available to offset a liability, the earlier credit
11 shall be applied first. In the case of a partnership or
12 Subchapter S Corporation, the credit is allowed to the
13 partners or shareholders in accordance with the determination
14 of income and distributive share of income under Sections 702
15 and 704 and Subchapter S of the Internal Revenue Code.

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

22 (d) The Department shall implement a program to certify an
23 applicant for an angel investment credit. Upon satisfactory
24 review, the Department shall issue a tax credit certificate
25 stating the amount of the tax credit to which the applicant is
26 entitled. The Department shall annually certify that: (i) each

1 qualified new business venture that receives an angel
2 investment under this Section has maintained a minimum
3 employment threshold, as defined by rule, in the State (and
4 continues to maintain a minimum employment threshold in the
5 State for a period of no less than 3 years from the issue date
6 of the last tax credit certificate issued by the Department
7 with respect to such business pursuant to this Section); and
8 (ii) the claimant's investment has been made and remains,
9 except in the event of a qualifying liquidity event, in the
10 qualified new business venture for no less than 3 years.

11 If an investment for which a claimant is allowed a credit
12 under subsection (b) is held by the claimant for less than 3
13 years, other than as a result of a permitted sale of the
14 investment to person who is not a related member, the claimant
15 shall pay to the Department of Revenue, in the manner
16 prescribed by the Department of Revenue, the aggregate amount
17 of the disqualified credits that the claimant received related
18 to the subject investment.

19 If the Department determines that a qualified new business
20 venture failed to maintain a minimum employment threshold in
21 the State through the date which is 3 years from the issue date
22 of the last tax credit certificate issued by the Department
23 with respect to the subject business pursuant to this Section,
24 except for any 3-year reporting period that includes March 13,
25 2020 to January 1, 2024, the claimant or claimants shall pay to
26 the Department of Revenue, in the manner prescribed by the

1 Department of Revenue, the aggregate amount of the
2 disqualified credits that claimant or claimants received
3 related to investments in that business. For tax credits under
4 this Section involving a 3-year reporting period that includes
5 March 13, 2020 to January 1, 2024, the repayment of any tax
6 credits issued shall be determined at the discretion of the
7 Department.

8 (e) The Department shall implement a program to register
9 qualified new business ventures for purposes of this Section.
10 A business desiring registration under this Section shall be
11 required to submit a full and complete application to the
12 Department. A submitted application shall be effective only
13 for the taxable year in which it is submitted, and a business
14 desiring registration under this Section shall be required to
15 submit a separate application in and for each taxable year for
16 which the business desires registration. Further, if at any
17 time prior to the acceptance of an application for
18 registration under this Section by the Department one or more
19 events occurs which makes the information provided in that
20 application materially false or incomplete (in whole or in
21 part), the business shall promptly notify the Department of
22 the same. Any failure of a business to promptly provide the
23 foregoing information to the Department may, at the discretion
24 of the Department, result in a revocation of a previously
25 approved application for that business, or disqualification of
26 the business from future registration under this Section, or

1 both. The Department may register the business only if all of
2 the following conditions are satisfied:

3 (1) it has its principal place of business in this
4 State;

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

7 (3) the business has the potential for increasing jobs
8 in this State, increasing capital investment in this
9 State, or both, as determined by the Department, and
10 either of the following apply:

11 (A) it is principally engaged in innovation in any
12 of the following: manufacturing; biotechnology;
13 nanotechnology; communications; agricultural
14 sciences; clean energy creation or storage technology;
15 processing or assembling products, including medical
16 devices, pharmaceuticals, computer software, computer
17 hardware, semiconductors, other innovative technology
18 products, or other products that are produced using
19 manufacturing methods that are enabled by applying
20 proprietary technology; or providing services that are
21 enabled by applying proprietary technology; or

22 (B) it is undertaking pre-commercialization
23 activity related to proprietary technology that
24 includes conducting research, developing a new product
25 or business process, or developing a service that is
26 principally reliant on applying proprietary

1 technology;

2 (4) it is not principally engaged in real estate
3 development, insurance, banking, lending, lobbying,
4 political consulting, professional services provided by
5 attorneys, accountants, business consultants, physicians,
6 or health care consultants, wholesale or retail trade,
7 leisure, hospitality, transportation, or construction,
8 except construction of power production plants that derive
9 energy from a renewable energy resource, as defined in
10 Section 1 of the Illinois Power Agency Act;

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

12 (A) it has fewer than 100 employees;

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

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

18 (5.1) it agrees to maintain a minimum employment
19 threshold in the State of Illinois prior to the date which
20 is 3 years from the issue date of the last tax credit
21 certificate issued by the Department with respect to that
22 business pursuant to this Section;

23 (6) (blank); and

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

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

1 the Business Enterprise for Minorities, Women, and Persons
2 with Disabilities Act), and \$1,250,000 shall be reserved for
3 investments made in qualified new business ventures with their
4 principal place of business in a county with a population of
5 not more than 250,000. The annual allowable amounts set forth
6 in this Section shall be allocated by the Department, on a per
7 calendar quarter basis and prior to the commencement of each
8 calendar year, in such proportion as determined by the
9 Department, provided that: (i) the amount initially allocated
10 by the Department for any one calendar quarter shall not
11 exceed 35% of the total allowable amount; (ii) any portion of
12 the allocated allowable amount remaining unused as of the end
13 of any of the first 3 calendar quarters of a given calendar
14 year shall be rolled into, and added to, the total allocated
15 amount for the next available calendar quarter; and (iii) the
16 reservation of tax credits for investments in minority-owned
17 businesses, women-owned businesses, businesses owned by a
18 person with a disability, and in businesses in counties with a
19 population of not more than 250,000 is limited to the first 3
20 calendar quarters of a given calendar year, after which they
21 may be claimed by investors in any qualified new business
22 venture.

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

25 (h) On or before March 1 of each year, the Department shall
26 report to the Governor and to the General Assembly on the tax

1 credit certificates awarded under this Section for the prior
2 calendar year.

3 (1) This report must include, for each tax credit
4 certificate awarded:

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

7 (B) the name and address (including the county) of
8 the qualified new business venture that received the
9 investment giving rise to the credit, the North
10 American Industry Classification System (NAICS) code
11 applicable to that qualified new business venture, and
12 the number of employees of the qualified new business
13 venture; and

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

16 (2) The report must also include:

17 (A) the total number of applicants and the total
18 number of claimants, including the amount of each tax
19 credit certificate awarded to a claimant under this
20 Section in the prior calendar year;

21 (B) the total number of applications from
22 businesses seeking registration under this Section,
23 the total number of new qualified business ventures
24 registered by the Department, and the aggregate amount
25 of investment upon which tax credit certificates were
26 issued in the prior calendar year; and

1 (C) the total amount of tax credit certificates
2 sought by applicants, the amount of each tax credit
3 certificate issued to a claimant, the aggregate amount
4 of all tax credit certificates issued in the prior
5 calendar year and the aggregate amount of tax credit
6 certificates issued as authorized under this Section
7 for all calendar years.

8 (i) For each business seeking registration under this
9 Section after December 31, 2016, the Department shall require
10 the business to include in its application the North American
11 Industry Classification System (NAICS) code applicable to the
12 business and the number of employees of the business at the
13 time of application. Each business registered by the
14 Department as a qualified new business venture that receives
15 an investment giving rise to the issuance of a tax credit
16 certificate pursuant to this Section shall, for each of the 3
17 years following the issue date of the last tax credit
18 certificate issued by the Department with respect to such
19 business pursuant to this Section, report to the Department
20 the following:

21 (1) the number of employees and the location at which
22 those employees are employed, both as of the end of each
23 year;

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

26 (3) the terms of any liquidity event occurring during

1 such year; for the purposes of this Section, a "liquidity
2 event" means any event that would be considered an exit
3 for an illiquid investment, including any event that
4 allows the equity holders of the business (or any material
5 portion thereof) to cash out some or all of their
6 respective equity interests.

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

9 (35 ILCS 5/221)

10 Sec. 221. Rehabilitation costs; qualified historic
11 properties; River Edge Redevelopment Zone.

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

23 (a-1) For taxable years that begin on or after January 1,
24 2018 and end prior to January 1, 2034 ~~January 1, 2029~~, there
25 shall be allowed a tax credit against the tax imposed by

1 subsections (a) and (b) of Section 201 of this Act in an
2 aggregate amount equal to 25% of qualified expenditures
3 incurred by a qualified taxpayer in the restoration and
4 preservation of a qualified historic structure located in a
5 River Edge Redevelopment Zone pursuant to a qualified
6 rehabilitation plan, provided that the total amount of such
7 expenditures must (i) equal \$5,000 or more and (ii) exceed the
8 adjusted basis of the qualified historic structure on the
9 first day the qualified rehabilitation plan begins. For any
10 rehabilitation project, regardless of duration or number of
11 phases, the project's compliance with the foregoing provisions
12 (i) and (ii) shall be determined based on the aggregate amount
13 of qualified expenditures for the entire project and may
14 include expenditures incurred under subsection (a), this
15 subsection, or both subsection (a) and this subsection. If the
16 qualified rehabilitation plan spans multiple years, the
17 aggregate credit for the entire project shall be allowed in
18 the last taxable year, except for phased rehabilitation
19 projects, which may receive credits upon completion of each
20 phase. Before obtaining the first phased credit: (A) the total
21 amount of such expenditures must meet the requirements of
22 provisions (i) and (ii) of this subsection; (B) the
23 rehabilitated portion of the qualified historic structure must
24 be placed in service; and (C) the requirements of subsection
25 (b) must be met.

26 (a-2) For taxable years beginning on or after January 1,

1 2021 and ending prior to January 1, 2029, there shall be
2 allowed a tax credit against the tax imposed by subsections
3 (a) and (b) of Section 201 as provided in Section 10-10.3 of
4 the River Edge Redevelopment Zone Act. The credit allowed
5 under this subsection (a-2) shall apply only to taxpayers that
6 make a capital investment of at least \$1,000,000 in a
7 qualified rehabilitation plan.

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

18 For partners, shareholders of Subchapter S corporations,
19 and owners of limited liability companies, if the liability
20 company is treated as a partnership for the purposes of
21 federal and State income taxation, there shall be allowed a
22 credit under this Section to be determined in accordance with
23 the determination of income and distributive share of income
24 under Sections 702 and 704 and Subchapter S of the Internal
25 Revenue Code.

26 The total aggregate amount of credits awarded under the

1 Blue Collar Jobs Act (Article 20 of this amendatory Act of the
2 101st General Assembly) shall not exceed \$20,000,000 in any
3 State fiscal year.

4 (b) To obtain a tax credit pursuant to this Section, the
5 taxpayer must apply with the Department of Natural Resources.
6 The Department of Natural Resources shall determine the amount
7 of eligible rehabilitation costs and expenses in addition to
8 the amount of the River Edge construction jobs credit within
9 45 days of receipt of a complete application. The taxpayer
10 must submit a certification of costs prepared by an
11 independent certified public accountant that certifies (i) the
12 project expenses, (ii) whether those expenses are qualified
13 expenditures, and (iii) that the qualified expenditures exceed
14 the adjusted basis of the qualified historic structure on the
15 first day the qualified rehabilitation plan commenced. The
16 Department of Natural Resources is authorized, but not
17 required, to accept this certification of costs to determine
18 the amount of qualified expenditures and the amount of the
19 credit. The Department of Natural Resources shall provide
20 guidance as to the minimum standards to be followed in the
21 preparation of such certification. The Department of Natural
22 Resources and the National Park Service shall determine
23 whether the rehabilitation is consistent with the United
24 States Secretary of the Interior's Standards for
25 Rehabilitation.

26 (b-1) Upon completion of the project and approval of the

1 complete application, the Department of Natural Resources
2 shall issue a single certificate in the amount of the eligible
3 credits equal to 25% of qualified expenditures incurred during
4 the eligible taxable years, as defined in subsections (a) and
5 (a-1), excepting any credits awarded under subsection (a)
6 prior to January 1, 2019 (the effective date of Public Act
7 100-629) and any phased credits issued prior to the eligible
8 taxable year under subsection (a-1). At the time the
9 certificate is issued, an issuance fee up to the maximum
10 amount of 2% of the amount of the credits issued by the
11 certificate may be collected from the applicant to administer
12 the provisions of this Section. If collected, this issuance
13 fee shall be deposited into the Historic Property
14 Administrative Fund, a special fund created in the State
15 treasury. Subject to appropriation, moneys in the Historic
16 Property Administrative Fund shall be provided to the
17 Department of Natural Resources as reimbursement for the costs
18 associated with administering this Section.

19 (c) The taxpayer must attach the certificate to the tax
20 return on which the credits are to be claimed. The tax credit
21 under this Section may not reduce the taxpayer's liability to
22 less than zero. If the amount of the credit exceeds the tax
23 liability for the year, the excess credit may be carried
24 forward and applied to the tax liability of the 5 taxable years
25 following the excess credit year.

26 (c-1) Subject to appropriation, moneys in the Historic

1 Property Administrative Fund shall be used, on a biennial
2 basis beginning at the end of the second fiscal year after
3 January 1, 2019 (the effective date of Public Act 100-629), to
4 hire a qualified third party to prepare a biennial report to
5 assess the overall economic impact to the State from the
6 qualified rehabilitation projects under this Section completed
7 in that year and in previous years. The overall economic
8 impact shall include at least: (1) the direct and indirect or
9 induced economic impacts of completed projects; (2) temporary,
10 permanent, and construction jobs created; (3) sales, income,
11 and property tax generation before, during construction, and
12 after completion; and (4) indirect neighborhood impact after
13 completion. The report shall be submitted to the Governor and
14 the General Assembly. The report to the General Assembly shall
15 be filed with the Clerk of the House of Representatives and the
16 Secretary of the Senate in electronic form only, in the manner
17 that the Clerk and the Secretary shall direct.

18 (c-2) The Department of Natural Resources may adopt rules
19 to implement this Section in addition to the rules expressly
20 authorized in this Section.

21 (d) As used in this Section, the following terms have the
22 following meanings.

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

1 "Placed in service" means the date when the property is
2 placed in a condition or state of readiness and availability
3 for a specifically assigned function as defined under Section
4 47 of the federal Internal Revenue Code and federal Treasury
5 Regulation Sections 1.46 and 1.48.

6 "Qualified expenditure" means all the costs and expenses
7 defined as qualified rehabilitation expenditures under Section
8 47 of the federal Internal Revenue Code that were incurred in
9 connection with a qualified historic structure.

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

13 "Qualified rehabilitation plan" means a project that is
14 approved by the Department of Natural Resources and the
15 National Park Service as being consistent with the United
16 States Secretary of the Interior's Standards for
17 Rehabilitation.

18 "Qualified taxpayer" means the owner of the qualified
19 historic structure or any other person who qualifies for the
20 federal rehabilitation credit allowed by Section 47 of the
21 federal Internal Revenue Code with respect to that qualified
22 historic structure. Partners, shareholders of subchapter S
23 corporations, and owners of limited liability companies (if
24 the limited liability company is treated as a partnership for
25 purposes of federal and State income taxation) are entitled to
26 a credit under this Section to be determined in accordance

1 with the determination of income and distributive share of
2 income under Sections 702 and 703 and subchapter S of the
3 Internal Revenue Code, provided that credits granted to a
4 partnership, a limited liability company taxed as a
5 partnership, or other multiple owners of property shall be
6 passed through to the partners, members, or owners
7 respectively on a pro rata basis or pursuant to an executed
8 agreement among the partners, members, or owners documenting
9 any alternate distribution method.

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

11 (35 ILCS 5/231)

12 Sec. 231. Apprenticeship education expense credit.

13 (a) As used in this Section:

14 "Accredited training organization" means an organization
15 that:

16 (1) incurs costs related to training apprentice
17 employees;

18 (2) maintains an apprenticeship program approved by
19 the United States Department of Labor, Office of
20 Apprenticeships, that results in an industry-recognized
21 credential; and either

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

24 (A) an institution of higher education that
25 provides a program that leads to an

1 industry-recognized postsecondary credential or
2 degree;

3 (B) an entity that carries out programs that
4 are registered under the federal National
5 Apprenticeship Act; or

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

9 (4) is not affiliated with a public or nonpublic
10 secondary school in Illinois but receives preapproval from
11 the Department to receive tax credits under this Section.

12 "Department" means the Department of Commerce and Economic
13 Opportunity.

14 "Employer" means an Illinois taxpayer who is the employer
15 of the qualifying apprentice.

16 "Qualifying apprentice" means an individual who: (i) is a
17 resident of the State of Illinois; (ii) is at least 16 years
18 old at the close of the school year for which a credit is
19 sought; (iii) during the school year for which a credit is
20 sought, was a full-time apprentice enrolled in an
21 apprenticeship program which is registered with the United
22 States Department of Labor, Office of Apprenticeship; and (iv)
23 is employed in Illinois by the taxpayer who is the employer.

24 "Qualified education expense" means the amount incurred on
25 behalf of a qualifying apprentice not to exceed \$3,500 for
26 tuition, instructional materials, fees (including, but not

1 limited to, book, license, and lab fees), or other expenses
2 that are directly related to training the apprentices and that
3 are preapproved by the Department. All expenses must be paid
4 to or incurred for training at the school, community college,
5 or organization where the apprentice receives training.

6 (b) For taxable years beginning on or after January 1,
7 2020, and beginning on or before January 1, 2032 ~~January 1,~~
8 ~~2027~~, the employer of one or more qualifying apprentices shall
9 be allowed a credit against the tax imposed by subsections (a)
10 and (b) of Section 201 of the Illinois Income Tax Act. The
11 credit shall be equal to \$3,500 per qualifying apprentice. A
12 taxpayer shall be entitled to an additional \$1,500 credit
13 against the tax imposed by subsections (a) and (b) of Section
14 201 of the Illinois Income Tax Act if (i) the qualifying
15 apprentice resides in an underserved area as defined in
16 Section 5-5 of the Economic Development for a Growing Economy
17 Tax Credit Act during the school year for which a credit is
18 sought by an employer or (ii) the employer's principal place
19 of business is located in an underserved area, as defined in
20 Section 5-5 of the Economic Development for a Growing Economy
21 Tax Credit Act. In no event shall a credit under this Section
22 reduce the taxpayer's liability under this Act to less than
23 zero. For taxable years ending before December 31, 2023, for
24 partners, shareholders of Subchapter S corporations, and
25 owners of limited liability companies, if the liability
26 company is treated as a partnership for purposes of federal

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

9 (c) The Department shall implement a program to certify
10 applicants for an apprenticeship credit under this Section.
11 Upon satisfactory review, the Department shall issue a tax
12 credit certificate to an employer incurring costs on behalf of
13 a qualifying apprentice stating the amount of the tax credit
14 to which the employer is entitled. If the employer is seeking a
15 tax credit for multiple qualifying apprentices, the Department
16 may issue a single tax credit certificate that encompasses the
17 aggregate total of tax credits for qualifying apprentices for
18 a single employer.

19 (d) The Department, in addition to those powers granted
20 under the Civil Administrative Code of Illinois, is granted
21 and shall have all the powers necessary or convenient to carry
22 out and effectuate the purposes and provisions of this
23 Section, including, but not limited to, power and authority
24 to:

25 (1) Adopt rules deemed necessary and appropriate for
26 the administration of this Section; establish forms for

1 applications, notifications, contracts, or any other
2 agreements; and accept applications at any time during the
3 year and require that all applications be submitted via
4 the Internet. The Department shall require that
5 applications be submitted in electronic form.

6 (2) Provide guidance and assistance to applicants
7 pursuant to the provisions of this Section and cooperate
8 with applicants to promote, foster, and support job
9 creation within the State.

10 (3) Enter into agreements and memoranda of
11 understanding for participation of and engage in
12 cooperation with agencies of the federal government, units
13 of local government, universities, research foundations or
14 institutions, regional economic development corporations,
15 or other organizations for the purposes of this Section.

16 (4) Gather information and conduct inquiries, in the
17 manner and by the methods it deems desirable, including,
18 without limitation, gathering information with respect to
19 applicants for the purpose of making any designations or
20 certifications necessary or desirable or to gather
21 information in furtherance of the purposes of this Act.

22 (5) Establish, negotiate, and effectuate any term,
23 agreement, or other document with any person necessary or
24 appropriate to accomplish the purposes of this Section,
25 and consent, subject to the provisions of any agreement
26 with another party, to the modification or restructuring

1 of any agreement to which the Department is a party.

2 (6) Provide for sufficient personnel to permit
3 administration, staffing, operation, and related support
4 required to adequately discharge its duties and
5 responsibilities described in this Section from funds made
6 available through charges to applicants or from funds as
7 may be appropriated by the General Assembly for the
8 administration of this Section.

9 (7) Require applicants, upon written request, to issue
10 any necessary authorization to the appropriate federal,
11 State, or local authority or any other person for the
12 release to the Department of information requested by the
13 Department, including, but not be limited to, financial
14 reports, returns, or records relating to the applicant or
15 to the amount of credit allowable under this Section.

16 (8) Require that an applicant shall, at all times,
17 keep proper books of record and account in accordance with
18 generally accepted accounting principles consistently
19 applied, with the books, records, or papers related to the
20 agreement in the custody or control of the applicant open
21 for reasonable Department inspection and audits,
22 including, without limitation, the making of copies of the
23 books, records, or papers.

24 (9) Take whatever actions are necessary or appropriate
25 to protect the State's interest in the event of
26 bankruptcy, default, foreclosure, or noncompliance with

1 the terms and conditions of financial assistance or
2 participation required under this Section or any agreement
3 entered into under this Section, including the power to
4 sell, dispose of, lease, or rent, upon terms and
5 conditions determined by the Department to be appropriate,
6 real or personal property that the Department may recover
7 as a result of these actions.

8 (e) The Department, in consultation with the Department of
9 Revenue, shall adopt rules to administer this Section. The
10 aggregate amount of the tax credits that may be claimed under
11 this Section for qualified education expenses incurred by an
12 employer on behalf of a qualifying apprentice shall be limited
13 to \$5,000,000 per calendar year. If applications for a greater
14 amount are received, credits shall be allowed on a first-come
15 first-served basis, based on the date on which each properly
16 completed application for a certificate of eligibility is
17 received by the Department. If more than one certificate is
18 received on the same day, the credits will be awarded based on
19 the time of submission for that particular day.

20 (f) An employer may not sell or otherwise transfer a
21 credit awarded under this Section to another person or
22 taxpayer.

23 (g) The employer shall provide the Department such
24 information as the Department may require, including, but not
25 limited to: (i) the name, age, and identification number of
26 each qualifying apprentice employed by the taxpayer during the

1 taxable year; (ii) the amount of qualified education expenses
2 incurred with respect to each qualifying apprentice; and (iii)
3 the name of the accredited training organization at which the
4 qualifying apprentice is enrolled and the qualified education
5 expenses are incurred.

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

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

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

14 (3) the North American Industry Classification System
15 (NAICS) code applicable to each employer awarded or
16 allocated a credit;

17 (4) the amount of the credit awarded or allocated to
18 each employer;

19 (5) the total number of employers awarded or allocated
20 a credit;

21 (6) the total number of qualifying apprentices for
22 whom employers receiving credits under this Section
23 incurred qualified education expenses; and

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

26 (Source: P.A. 103-396, eff. 1-1-24; 103-1059, eff. 12-20-24;

1 104-6, eff. 6-16-25; 104-434, eff. 11-21-25.)

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

4 (70 ILCS 518/20)

5 Sec. 20. Creation.

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

15 (b) The governing and administrative powers of the
16 Authority shall be vested in a body consisting of 26 public ~~27~~
17 members and one ex officio member, as follows:

18 (1) Public members. Nine members shall be appointed by
19 the Governor with the advice and consent of the Senate.
20 The county board chairmen of the following counties shall
21 each appoint one member: Clark, Clay, Crawford,
22 Cumberland, Edwards, Effingham, Fayette, Hamilton, Jasper,
23 Jefferson, Lawrence, Marion, Richland, Wabash, Washington,
24 Wayne, and White.

1 (2) Ex officio member. The Director of Commerce and
2 Economic Opportunity, or his or her designee, shall serve
3 as an ex officio member. One member shall be appointed by
4 ~~the Director of Commerce and Economic Opportunity.~~

5 All public members shall reside within the territorial
6 jurisdiction of the Authority. The public members shall be
7 persons of recognized ability and experience in one or more of
8 the following areas: economic development, finance, banking,
9 industrial development, state or local government, commercial
10 agriculture, small business management, real estate
11 development, community development, venture finance, organized
12 labor, or civic or community organization.

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

15 (d) The chairman of the Authority shall be elected
16 annually by the Board.

17 (e) The terms of the initial members of the Authority
18 shall begin 30 days after the effective date of this Act. Of
19 the 10 original members appointed by the Governor and the
20 Director of Commerce and Economic Opportunity pursuant to
21 subsection (b), one shall serve until the third Monday in
22 January, 2005; one shall serve until the third Monday in
23 January, 2006; 2 shall serve until the third Monday in
24 January, 2007; 2 shall serve until the third Monday in
25 January, 2008; 2 shall serve until the third Monday in
26 January, 2009; and 2 shall serve until the third Monday in

1 January, 2010. The terms of the initial public members of the
2 Authority appointed by the county board chairmen shall begin
3 30 days after the effective date of this amendatory Act of the
4 97th General Assembly. The terms of the initial public members
5 appointed by the county board chairmen shall be determined by
6 lot, according to the following schedule: (i) 4 shall serve
7 until the third Monday in January, 2013, (ii) 4 shall serve
8 until the third Monday in January, 2014, (iii) 3 shall serve
9 until the third Monday in January, 2015, (iv) 3 shall serve
10 until the third Monday in January, 2016, and (v) 3 shall serve
11 until the third Monday in January, 2017. All successors to
12 these initial members shall be appointed by the original
13 appointing authority pursuant to subsection (b), and shall
14 hold office for a term of 3 years commencing the third Monday
15 in January of the year in which their term commences, except in
16 the case of an appointment to fill a vacancy. Vacancies
17 occurring among the members shall be filled for the remainder
18 of the term. In case of a vacancy in a Governor-appointed
19 membership when the Senate is not in session, the Governor may
20 make a temporary appointment until the next meeting of the
21 Senate when a person shall be nominated to fill the office and,
22 upon confirmation by the Senate, he or she shall hold office
23 during the remainder of the term and until a successor is
24 appointed and qualified. Members of the Authority are not
25 entitled to compensation for their services as members but are
26 entitled to reimbursement for all necessary expenses incurred

1 in connection with the performance of their duties as members.
2 Members of the Board may participate in Board meetings by
3 teleconference or video conference.

4 (f) The Governor may remove any public member of the
5 Authority appointed by the Governor, and the Director of
6 Commerce and Economic Opportunity may remove any member
7 appointed by the Director, in case of incompetence, neglect of
8 duty, or malfeasance in office. The chairman of a county
9 board, with the approval of a majority vote of the county
10 board, may remove any public member appointed by that chairman
11 in the case of incompetence, neglect of duty, or malfeasance
12 in office.

13 (g) The Board shall appoint an Executive Director who
14 shall have a background in finance, including familiarity with
15 the legal and procedural requirements of issuing bonds, real
16 estate, or economic development and administration. The
17 Executive Director shall hold office at the discretion of the
18 Board. The Executive Director shall be the chief
19 administrative and operational officer of the Authority, shall
20 direct and supervise its administrative affairs and general
21 management, perform such other duties as may be prescribed
22 from time to time by the members, and receive compensation
23 fixed by the Authority. The Executive Director shall attend
24 all meetings of the Authority. However, no action of the
25 Authority shall be invalid on account of the absence of the
26 Executive Director from a meeting. The Authority may engage

1 the services of the Illinois Finance Authority, attorneys,
2 appraisers, engineers, accountants, credit analysts, and other
3 consultants, if the Southeastern Illinois Economic Development
4 Authority deems it advisable.

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

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

8 (220 ILCS 80/20)

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

10 (a) The Council shall:

11 (1) explore any and all ways to expand the
12 availability to end-user customers of broadband services
13 using available technologies, including, but not limited
14 to, wireline, wireless, fixed wireless, and satellite
15 applications;

16 (2) identify barriers to broadband adoption among the
17 residents and small businesses of Illinois;

18 (3) research ways to eliminate barriers to adoption
19 through measures such as: digital literacy programs;
20 programs to assist older citizens in using broadband
21 Internet access; programs to facilitate adoption by
22 disabled citizens; and programs to encourage collaborative
23 efforts among public universities, community colleges,
24 libraries, public housing, and other institutions;

1 (4) assess the availability of broadband for
2 low-income households compared to the availability of
3 broadband for other households;

4 (5) explore the potential for increased use of
5 broadband service for the purposes of education, career
6 readiness, workforce preparation, and alternative career
7 training;

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

10 (7) explore ways for encouraging State and municipal
11 agencies, including public housing authorities, to expand
12 the use of broadband services for the purpose of better
13 serving the public, including audio and video streaming,
14 voice-over Internet protocol, teleconferencing, and
15 wireless networking;

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

18 (9) as the Federal Communications Commission updates
19 the benchmark downstream data rates and upstream data
20 rates, publish the revised data rates in the Illinois
21 Register within 60 days after the federal update; and

22 (10) evaluate the expansion of the Illinois Century
23 Network to Illinois public schools, public libraries, and
24 State-owned correctional institutions or facilities,
25 including issuing recommendations for increasing agency
26 staffing, infrastructure development, price modeling, and

1 providing download speeds of at least one gigabyte per
2 second and upload speeds of at least one gigabyte per
3 second.

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

8 (1) promoting awareness of public facilities that have
9 community broadband access that can be used for distance
10 education and workforce development; and

11 (2) advising on deployment of e-government portals
12 such that all public bodies and political subdivisions
13 have websites and encourage one-stop government access and
14 that all public entities stream audio and video of all
15 public meetings.

16 (c) The Council shall also:

17 (1) monitor the broadband-based development efforts of
18 other states in areas such as business, education, aging
19 in place, and health;

20 (2) receive input provided on a voluntary basis from
21 all Illinois broadband stakeholders and advise the
22 Governor and the General Assembly on policies related to
23 broadband in Illinois, provided that no stakeholders shall
24 be required to publicly disclose competitively sensitive
25 information or information that could compromise network
26 security or undermine the efficacy of reasonable network

1 management practices, and that any such information
2 voluntarily disclosed shall be protected from public
3 disclosure; and

4 (3) serve as the broadband advocate to State agencies
5 and other State entities to communicate the broadband
6 needs of citizens and organizations that do not have
7 access to broadband service or to broadband service
8 adequate for their needs.

9 (d) The Council shall exercise its powers and authority to
10 (1) advise and make recommendations to the General Assembly
11 and the Governor on bringing broadband service to unserved and
12 underserved rural and urban areas and improving broadband
13 service statewide, (2) advise and make recommendations to the
14 General Assembly and the Governor on facilitating broadband
15 adoption by all citizens, and (3) propose statutory changes
16 that may enhance and expand broadband in the State.

17 (e) The Council shall report to the General Assembly on or
18 before January 31 ~~January 1~~ of each year. The report to the
19 General Assembly shall be filed with the Clerk of the House of
20 Representatives and the Secretary of the Senate in electronic
21 form only, in the manner that the Clerk and the Secretary shall
22 direct. The report shall include the action that was taken by
23 the Council during the previous year in carrying out the
24 provisions of this Act. The Council shall also make any other
25 reports as may be required by the General Assembly or the
26 Governor.

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

2 Section 50. The Energy Assistance Act is amended by
3 changing Section 5 as follows:

4 (305 ILCS 20/5) (from Ch. 111 2/3, par. 1405)

5 Sec. 5. Policy Advisory Council.

6 (a) Within the Department of Commerce and Economic
7 Opportunity is created a Low Income Energy Assistance Policy
8 Advisory Council.

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

14 (1) one member designated by the Illinois Commerce
15 Commission;

16 (2) (blank);

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

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

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

1 (6) one member designated by the Illinois Energy
2 Association to represent combination gas and electric
3 public utilities;

4 (7) one member agreed upon by the Illinois Municipal
5 Electric Agency and the Association of Illinois Electric
6 Cooperatives;

7 (8) (blank); ~~one member agreed upon by the Illinois~~
8 ~~Industrial Energy Consumers;~~

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

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

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

16 (12) (blank); ~~one member designated by the Illinois~~
17 ~~Retail Merchants Association to represent commercial~~
18 ~~energy customers;~~

19 (13) one member designated by the Department to
20 represent independent energy providers; and

21 (14) three members designated by the Mayor of the City
22 of Chicago.

23 (c) Designated and appointed members shall serve 2 year
24 terms and until their successors are appointed and qualified.
25 The designating organization shall notify the chairperson of
26 any changes or substitutions of a designee within 10 business

1 days of a change or substitution. Members shall serve without
2 compensation, but may receive reimbursement for actual costs
3 incurred in fulfilling their duties as members of the Council.

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

5 (1) to monitor the administration of this Act to
6 ensure effective, efficient, and coordinated program
7 development and implementation;

8 (2) to assist the Department in developing and
9 administering rules and regulations required to be
10 promulgated pursuant to this Act in a manner consistent
11 with the purpose and objectives of this Act;

12 (3) to facilitate and coordinate the collection and
13 exchange of all program data and other information needed
14 by the Department and others in fulfilling their duties
15 pursuant to this Act;

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

18 (5) to provide a written opinion concerning any
19 regulation proposed pursuant to this Act, and to review
20 and comment on any energy assistance or related plan
21 required to be prepared by the Department;

22 (6) to advise the Department on the use of funds
23 collected pursuant to Section 11 of this Act, and on any
24 changes to existing low income energy assistance programs
25 to make effective use of such funds, so long as such uses
26 and changes are consistent with the requirements of the

1 Act.

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

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

5 (410 ILCS 705/7-15)

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

7 (a) The Department of Commerce and Economic Opportunity
8 shall establish grant and loan programs, subject to
9 appropriations from the Cannabis Business Development Fund,
10 for the purposes of providing financial assistance, loans,
11 grants, and technical assistance to Social Equity Applicants.

12 (b) The Department of Commerce and Economic Opportunity
13 has the power to:

14 (1) provide Cannabis Social Equity loans and grants
15 from appropriations from the Cannabis Business Development
16 Fund to assist Qualified Social Equity Applicants in
17 gaining entry to, and successfully operating in, the
18 State's regulated cannabis marketplace;

19 (2) enter into agreements that set forth terms and
20 conditions of the financial assistance, accept funds or
21 grants, and engage in cooperation with private entities
22 and agencies of State or local government to carry out the
23 purposes of this Section;

24 (3) fix, determine, charge, and collect any premiums,

1 fees, charges, costs and expenses, including application
2 fees, commitment fees, program fees, financing charges, or
3 publication fees in connection with its activities under
4 this Section;

5 (4) coordinate assistance under these loan programs
6 with activities of the Illinois Department of Financial
7 and Professional Regulation, the Illinois Department of
8 Agriculture, and other agencies as needed to maximize the
9 effectiveness and efficiency of this Act;

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

12 (6) take whatever actions are necessary or appropriate
13 to protect the State's interest in the event of
14 bankruptcy, default, foreclosure, or noncompliance with
15 the terms and conditions of financial assistance provided
16 under this Section, including the ability to recapture
17 funds if the recipient is found to be noncompliant with
18 the terms and conditions of the financial assistance
19 agreement;

20 (7) establish application, notification, contract, and
21 other forms, procedures, or rules deemed necessary and
22 appropriate; and

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

25 (c) Loans made under this Section:

26 (1) shall only be made if, in the Department's

1 judgment, the project furthers the goals set forth in this
2 Act; and

3 (2) shall be in such principal amount and form and
4 contain such terms and provisions with respect to
5 security, insurance, reporting, delinquency charges,
6 default remedies, and other matters as the Department
7 shall determine appropriate to protect the public interest
8 and to be consistent with the purposes of this Section.
9 The terms and provisions may be less than required for
10 similar loans not covered by this Section.

11 (d) Grants made under this Section shall be awarded on a
12 competitive and annual basis under the Grant Accountability
13 and Transparency Act. Grants made under this Section shall
14 further and promote the goals of this Act, including promotion
15 of Social Equity Applicants, job training and workforce
16 development, and technical assistance to Social Equity
17 Applicants.

18 (e) On or before January 31 of ~~Beginning January 1, 2021~~
19 ~~and~~ each year ~~thereafter~~, the Department shall annually report
20 to the Governor and the General Assembly on the outcomes and
21 effectiveness of this Section that shall include the
22 following:

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

25 (2) the amount in financial assistance awarded in the
26 aggregate, in addition to the amount of loans made that

1 are outstanding and the amount of grants awarded;

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

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

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

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

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

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