



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB4304

by Rep. Steven Reick

#### SYNOPSIS AS INTRODUCED:

35 ILCS 5/208

from Ch. 120, par. 2-208

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

LRB100 16278 HLH 31401 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

1 AN ACT concerning revenue.

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

4 Section 5. The Illinois Income Tax Act is amended by  
5 changing Section 208 as follows:

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

7 Sec. 208. Tax credit for residential real property taxes.  
8 Beginning with tax years ending on or after December 31, 1991,  
9 every individual taxpayer shall be entitled to a tax credit  
10 equal to 5% of real property taxes paid by such taxpayer during  
11 the taxable year on the principal residence of the taxpayer. In  
12 the case of multi-unit or multi-use structures and farm  
13 dwellings, the taxes on the taxpayer's principal residence  
14 shall be that portion of the total taxes which is attributable  
15 to such principal residence. For taxable years beginning on or  
16 after January 1, 2018, if the amount of the credit exceeds the  
17 taxpayer's income tax liability for the applicable tax year,  
18 then the excess credit shall be refunded to the taxpayer if (i)  
19 the taxpayer is 65 years old or older and (ii) has a federal  
20 adjusted gross income not greater than \$50,000. The amount of a  
21 refund shall not be included in the taxpayer's income or  
22 resources for the purposes of determining eligibility or  
23 benefit level in any means-tested benefit program administered

1 by a governmental entity unless required by federal law.  
2 Notwithstanding any other provision of law, for taxable years  
3 beginning on or after January 1, 2017, no taxpayer may claim a  
4 credit under this Section if the taxpayer's adjusted gross  
5 income for the taxable year exceeds (i) \$500,000, in the case  
6 of spouses filing a joint federal tax return, or (ii) \$250,000,  
7 in the case of all other taxpayers.

8 The provisions of this Section, as amended by this  
9 amendatory Act of the 100th General Assembly, are exempt from  
10 the provisions of Section 250.

11 (Source: P.A. 100-22, eff. 7-6-17.)

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