



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4266

Introduced 1/5/2022, by Rep. Barbara Hernandez

SYNOPSIS AS INTRODUCED:

35 ILCS 5/232 new

Amends the Illinois Income Tax Act. Provides that a taxpayer who makes a donation to a qualified charitable entity of: (i) disposable diapers; (ii) other hygiene products for infants or children; (iii) menstrual hygiene products; or (iv) cash that is specifically designated for the purchase of the those products is entitled to an income tax credit in an amount equal to the cost of the donation, but not to exceed \$1,000 per taxpayer in any taxable year. Provides that the credit is exempt from the Act's automatic sunset provision. Effective immediately.

LRB102 21923 HLH 31046 b

1 AN ACT concerning revenue.

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

4 Section 5. The Illinois Income Tax Act is amended by
5 adding Section 232 as follows:

6 (35 ILCS 5/232 new)

7 Sec. 232. Donations of diapers and menstrual hygiene
8 products.

9 (a) For taxable years beginning on or after January 1,
10 2022, each taxpayer who makes a donation to a qualified
11 charitable entity of: (i) disposable diapers; (ii) other
12 hygiene products for infants or children; (iii) menstrual
13 hygiene products; or (iv) cash that is specifically designated
14 for the purchase of the products specified in items (i), (ii),
15 or (iii) is entitled to a credit against the tax imposed by
16 subsections (a) and (b) of Section 201 in an amount equal to
17 the cost of the donation, but not to exceed \$1,000 per taxpayer
18 in any taxable year.

19 (b) In no event shall a credit under this Section reduce
20 the taxpayer's liability to less than zero. If the amount of
21 the credit exceeds the tax liability for the year, the excess
22 may be carried forward and applied to the tax liability of the
23 5 taxable years following the excess credit year. The tax

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

5 (c) As used in this Section:

6 "Menstrual hygiene product" means a product that is exempt
7 from taxation under paragraph (42) of Section 2-5 of the
8 Retailers' Occupation Tax Act.

9 "Qualified charitable entity" means a diaper bank,
10 homeless shelter, domestic violence shelter, religious
11 organization, or other charitable organization that registers
12 with the Department as a distributor of disposable diapers,
13 other hygiene products for infants or children, or menstrual
14 hygiene products.

15 (d) This Section is exempt from the provisions of Section
16 250.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.