



Sen. Omar Aquino

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10200SB1150sam006

LRB102 04951 HLH 38516 a

1 AMENDMENT TO SENATE BILL 1150

2 AMENDMENT NO. _____. Amend Senate Bill 1150, AS AMENDED,
3 by inserting Article 30 in its proper numeric sequence as
4 follows:

5 "Article 30. EARNED INCOME TAX CREDIT

6 Section 30-5. The Illinois Income Tax Act is amended by
7 changing Section 212 as follows:

8 (35 ILCS 5/212)

9 Sec. 212. Earned income tax credit.

10 (a) With respect to the federal earned income tax credit
11 allowed for the taxable year under Section 32 of the federal
12 Internal Revenue Code, 26 U.S.C. 32, each individual taxpayer
13 is entitled to a credit against the tax imposed by subsections
14 (a) and (b) of Section 201 in an amount equal to (i) 5% of the
15 federal tax credit for each taxable year beginning on or after

1 January 1, 2000 and ending prior to December 31, 2012, (ii)
2 7.5% of the federal tax credit for each taxable year beginning
3 on or after January 1, 2012 and ending prior to December 31,
4 2013, (iii) 10% of the federal tax credit for each taxable year
5 beginning on or after January 1, 2013 and beginning prior to
6 January 1, 2017, (iv) 14% of the federal tax credit for each
7 taxable year beginning on or after January 1, 2017 and
8 beginning prior to January 1, 2018, ~~and~~ (v) 18% of the federal
9 tax credit for each taxable year beginning on or after January
10 1, 2018 and beginning prior to January 1, 2023, and (vi) 19% of
11 the federal tax credit for each taxable year beginning on or
12 after January 1, 2023.

13 For a non-resident or part-year resident, the amount of
14 the credit under this Section shall be in proportion to the
15 amount of income attributable to this State.

16 (b) For taxable years beginning before January 1, 2003, in
17 no event shall a credit under this Section reduce the
18 taxpayer's liability to less than zero. Except as provided in
19 subsection (b-5), for ~~For~~ each taxable year beginning on or
20 after January 1, 2003, if the amount of the credit exceeds the
21 income tax liability for the applicable tax year, then the
22 excess credit shall be refunded to the taxpayer. The amount of
23 a refund shall not be included in the taxpayer's income or
24 resources for the purposes of determining eligibility or
25 benefit level in any means-tested benefit program administered
26 by a governmental entity unless required by federal law.

1 (b-5) For taxable years beginning on or after January 1,
2 2023, each individual taxpayer filing a return using an
3 individual taxpayer identification number (ITIN) as prescribed
4 under Section 6109 of the Internal Revenue Code, other than a
5 Social Security number issued pursuant to Section 205(c)(2)(A)
6 of the Social Security Act, is entitled to the credit under
7 paragraph (a) based on the federal tax credit for which they
8 would have been eligible without applying the restrictions
9 regarding social security numbers in Section 32(m) of the
10 federal Internal Revenue Code. If the amount of the credit
11 under this Section for a taxpayer who files a return using an
12 ITIN, other than a Social Security number, exceeds that
13 taxpayer's income tax liability for the applicable tax year,
14 then the excess credit shall not be refunded to the taxpayer.

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

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