

# HB2774



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

**HB2774**

Introduced 2/16/2023, by Rep. Kelly M. Burke

### SYNOPSIS AS INTRODUCED:

35 ILCS 5/204

from Ch. 120, par. 2-204

Amends the Illinois Income Tax Act. Provides that, for taxable years ending before December 31, 2028 (currently, December 31, 2023), when calculating the standard exemption, the basic amount shall be \$2,050 plus a specified cost-of-living adjustment. Effective immediately.

LRB103 30877 HLH 57400 b

A BILL FOR

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 204 as follows:

6 (35 ILCS 5/204) (from Ch. 120, par. 2-204)

7 Sec. 204. Standard exemption.

8 (a) Allowance of exemption. In computing net income under  
9 this Act, there shall be allowed as an exemption the sum of the  
10 amounts determined under subsections (b), (c) and (d),  
11 multiplied by a fraction the numerator of which is the amount  
12 of the taxpayer's base income allocable to this State for the  
13 taxable year and the denominator of which is the taxpayer's  
14 total base income for the taxable year.

15 (b) Basic amount. For the purpose of subsection (a) of  
16 this Section, except as provided by subsection (a) of Section  
17 205 and in this subsection, each taxpayer shall be allowed a  
18 basic amount of \$1000, except that for corporations the basic  
19 amount shall be zero for tax years ending on or after December  
20 31, 2003, and for individuals the basic amount shall be:

21 (1) for taxable years ending on or after December 31,  
22 1998 and prior to December 31, 1999, \$1,300;

23 (2) for taxable years ending on or after December 31,

1           1999 and prior to December 31, 2000, \$1,650;  
2           (3) for taxable years ending on or after December 31,  
3           2000 and prior to December 31, 2012, \$2,000;  
4           (4) for taxable years ending on or after December 31,  
5           2012 and prior to December 31, 2013, \$2,050;  
6           (5) for taxable years ending on or after December 31,  
7           2013 and on or before December 31, 2028 ~~December 31, 2023~~,  
8           \$2,050 plus the cost-of-living adjustment under subsection  
9           (d-5).

10          For taxable years ending on or after December 31, 1992, a  
11          taxpayer whose Illinois base income exceeds the basic amount  
12          and who is claimed as a dependent on another person's tax  
13          return under the Internal Revenue Code shall not be allowed  
14          any basic amount under this subsection.

15          (c) Additional amount for individuals. In the case of an  
16          individual taxpayer, there shall be allowed for the purpose of  
17          subsection (a), in addition to the basic amount provided by  
18          subsection (b), an additional exemption equal to the basic  
19          amount for each exemption in excess of one allowable to such  
20          individual taxpayer for the taxable year under Section 151 of  
21          the Internal Revenue Code.

22          (d) Additional exemptions for an individual taxpayer and  
23          his or her spouse. In the case of an individual taxpayer and  
24          his or her spouse, he or she shall each be allowed additional  
25          exemptions as follows:

26                 (1) Additional exemption for taxpayer or spouse 65

1 years of age or older.

2 (A) For taxpayer. An additional exemption of  
3 \$1,000 for the taxpayer if he or she has attained the  
4 age of 65 before the end of the taxable year.

5 (B) For spouse when a joint return is not filed. An  
6 additional exemption of \$1,000 for the spouse of the  
7 taxpayer if a joint return is not made by the taxpayer  
8 and his spouse, and if the spouse has attained the age  
9 of 65 before the end of such taxable year, and, for the  
10 calendar year in which the taxable year of the  
11 taxpayer begins, has no gross income and is not the  
12 dependent of another taxpayer.

13 (2) Additional exemption for blindness of taxpayer or  
14 spouse.

15 (A) For taxpayer. An additional exemption of  
16 \$1,000 for the taxpayer if he or she is blind at the  
17 end of the taxable year.

18 (B) For spouse when a joint return is not filed. An  
19 additional exemption of \$1,000 for the spouse of the  
20 taxpayer if a separate return is made by the taxpayer,  
21 and if the spouse is blind and, for the calendar year  
22 in which the taxable year of the taxpayer begins, has  
23 no gross income and is not the dependent of another  
24 taxpayer. For purposes of this paragraph, the  
25 determination of whether the spouse is blind shall be  
26 made as of the end of the taxable year of the taxpayer;

1           except that if the spouse dies during such taxable  
2           year such determination shall be made as of the time of  
3           such death.

4           (C) Blindness defined. For purposes of this  
5           subsection, an individual is blind only if his or her  
6           central visual acuity does not exceed 20/200 in the  
7           better eye with correcting lenses, or if his or her  
8           visual acuity is greater than 20/200 but is  
9           accompanied by a limitation in the fields of vision  
10          such that the widest diameter of the visual fields  
11          subtends an angle no greater than 20 degrees.

12          (d-5) Cost-of-living adjustment. For purposes of item (5)  
13          of subsection (b), the cost-of-living adjustment for any  
14          calendar year and for taxable years ending prior to the end of  
15          the subsequent calendar year is equal to \$2,050 times the  
16          percentage (if any) by which:

17                 (1) the Consumer Price Index for the preceding  
18                 calendar year, exceeds

19                 (2) the Consumer Price Index for the calendar year  
20                 2011.

21          The Consumer Price Index for any calendar year is the  
22          average of the Consumer Price Index as of the close of the  
23          12-month period ending on August 31 of that calendar year.

24          The term "Consumer Price Index" means the last Consumer  
25          Price Index for All Urban Consumers published by the United  
26          States Department of Labor or any successor agency.

1           If any cost-of-living adjustment is not a multiple of \$25,  
2 that adjustment shall be rounded to the next lowest multiple  
3 of \$25.

4           (e) Cross reference. See Article 3 for the manner of  
5 determining base income allocable to this State.

6           (f) Application of Section 250. Section 250 does not apply  
7 to the amendments to this Section made by Public Act 90-613.

8           (g) Notwithstanding any other provision of law, for  
9 taxable years beginning on or after January 1, 2017, no  
10 taxpayer may claim an exemption under this Section if the  
11 taxpayer's adjusted gross income for the taxable year exceeds  
12 (i) \$500,000, in the case of spouses filing a joint federal tax  
13 return or (ii) \$250,000, in the case of all other taxpayers.  
14 (Source: P.A. 100-22, eff. 7-6-17; 100-865, eff. 8-14-18.)

15           Section 99. Effective date. This Act takes effect upon  
16 becoming law.