



Rep. Curtis J. Tarver, II

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10300HB5612ham001

LRB103 37452 HLH 69910 a

1 AMENDMENT TO HOUSE BILL 5612

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5612 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Film Production Services Tax Credit Act of  
5 2008 is amended by changing Section 46 as follows:

6 (35 ILCS 16/46)

7 Sec. 46. Illinois Production Workforce Development Fund.

8 (a) The Illinois Production Workforce Development Fund is  
9 created as a special fund in the State Treasury. Beginning  
10 July 1, 2023 ~~July 1, 2022~~, amounts paid to the Department of  
11 Commerce and Economic Opportunity pursuant to Section 213 of  
12 the Illinois Income Tax Act shall be deposited into the Fund.  
13 The Fund shall be used exclusively to provide grants to  
14 community-based organizations, labor organizations, private  
15 and public universities, community colleges, and other  
16 organizations and institutions that may be deemed appropriate

1 by the Department to administer workforce training programs  
2 that support efforts to recruit, hire, promote, retain,  
3 develop, and train a diverse and inclusive workforce in the  
4 film industry.

5 (b) Pursuant to Section 213 of the Illinois Income Tax  
6 Act, the Fund shall receive deposits in amounts not to exceed  
7 0.25% of the amount of each credit certificate issued that is  
8 not calculated on out-of-state wages and transferred ~~or~~  
9 ~~claimed on an Illinois tax return in the quarter such credit~~  
10 ~~was transferred or claimed.~~ In addition, such amount shall  
11 also include 2.5% of the credit amount calculated on wages  
12 paid to nonresidents that is transferred ~~or claimed on an~~  
13 ~~Illinois tax return in the quarter such credit was transferred~~  
14 ~~or claimed.~~

15 (c) At the request of the Department, the State  
16 Comptroller and the State Treasurer may advance amounts to the  
17 Fund on an annual basis not to exceed \$1,000,000 in any fiscal  
18 year. The fund from which the moneys are advanced shall be  
19 reimbursed in the same fiscal year for any such advance  
20 payments as described in this Section. The method of  
21 reimbursement shall be set forth in rules.

22 (d) Of the appropriated funds in a given fiscal year, 50%  
23 of the appropriated funds shall be reserved for organizations  
24 that meet one of the following criteria. The organization is:  
25 (1) a minority-owned business, as defined by the Business  
26 Enterprise for Minorities, Women, and Persons with

1 Disabilities Act; (2) located in an underserved area, as  
2 defined by the Economic Development for a Growing Economy Tax  
3 Credit Act; or (3) on an annual basis, training a cohort of  
4 program participants where at least 50% of the program  
5 participants are either a minority person, as defined by the  
6 Business Enterprise for Minorities, Women, and Persons with  
7 Disabilities Act, or reside in an underserved area, as defined  
8 by the Economic Development for a Growing Economy Tax Credit  
9 Act.

10 (e) The Illinois Production Workforce Development Fund  
11 shall be administered by the Department. The Department may  
12 adopt rules necessary to administer the provisions of this  
13 Section.

14 (f) Notwithstanding any other law to the contrary, the  
15 Illinois Production Workforce Development Fund is not subject  
16 to sweeps, administrative charge-backs, or any other fiscal or  
17 budgetary maneuver that would in any way transfer any amounts  
18 from the Illinois Production Workforce Development Fund.

19 (g) By June 30 of each fiscal year, the Department must  
20 submit to the General Assembly a report that includes the  
21 following information: (1) an identification of the  
22 organizations and institutions that received funding to  
23 administer workforce training programs during the fiscal year;  
24 (2) the number of total persons trained and the number of  
25 persons trained per workforce training program in the fiscal  
26 year; and (3) in the aggregate, per organization, the number

1 of persons identified as a minority person or that reside in an  
2 underserved area that received training in the fiscal year.  
3 (Source: P.A. 102-700, eff. 4-19-22.)".