



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB1742

Introduced 2/14/2005, by Rep. Michael J. Madigan - Barbara Flynn Currie - Dan Reitz

SYNOPSIS AS INTRODUCED:

35 ILCS 5/302

from Ch. 120, par. 3-302

Amends the Illinois Income Tax Act. Makes a technical change in a Section concerning income allocation.

LRB094 03241 BDD 33242 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 changing Section 302 as follows:

6 (35 ILCS 5/302) (from Ch. 120, par. 3-302)

7 Sec. 302. Compensation paid to nonresidents.

8 (a) In general. All items of compensation paid in this
9 State (as determined under Section 304(a)(2)(B)) to an
10 individual who is a nonresident at the ~~the~~ time of such payment
11 and all items of deduction directly allocable thereto, shall be
12 allocated to this State.

13 (b) Reciprocal exemption. The Director may enter into an
14 agreement with the taxing authorities of any state which
15 imposes a tax on or measured by income to provide that
16 compensation paid in such state to residents of this State
17 shall be exempt from such tax; in such case, any compensation
18 paid in this State to residents of such state shall not be
19 allocated to this State. All reciprocal agreements shall be
20 subject to the requirements of Section 2505-575 of the
21 Department of Revenue Law (20 ILCS 2505/2505-575).

22 (c) Cross references.

23 (1) For allocation of amounts received by nonresidents
24 from certain employee trusts, see Section 301(b)(2).

25 (2) For allocation of compensation by residents, see
26 Section 301(a).

27 (Source: P.A. 90-491, eff. 1-1-98; 91-239, eff. 1-1-00.)