



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5189

Introduced 2/1/2010, by Rep. Mike Fortner

SYNOPSIS AS INTRODUCED:

35 ILCS 5/219 new

Amends the Illinois Income Tax Act. Authorizes a credit to individual taxpayers who are residents of Illinois for expenditures made by the taxpayer during the taxable year for qualified college tuition expenses paid for the taxpayer or a dependent of the taxpayer, as determined under the Act, for up to 4 years of college education for each eligible student attending an institution of higher education. The amount of the credit is equal to 25% of the qualified college tuition expenses, but not to exceed \$2,500 per student per taxable year. If a taxpayer claims a credit for a dependent, then that dependent may not claim a credit on the dependent's return for that taxable year. Defines "qualified college tuition expenses" as the tuition required for the enrollment or attendance of a student who is eligible to receive grants from the Monetary Award Program at an institution of higher education, except that tuition payments made through scholarships or other financial aid are excluded and tuition payments for post-baccalaureate or other graduate degrees are excluded. Provides that the credit may not reduce the taxpayer's liability to less than zero and may not be carried back or carried forward. Exempt from the Act's sunset provisions. Effective immediately.

LRB096 16264 HLH 31521 b

FISCAL NOTE ACT
MAY APPLY

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 adding
5 Section 219 as follows:

6 (35 ILCS 5/219 new)

7 Sec. 219. Credit for employee's higher education loans.

8 (a) For each taxable year ending on or after December 31,
9 2010, each individual taxpayer who is a resident of Illinois is
10 entitled to a credit against the tax imposed by subsections (a)
11 and (b) of Section 201 of this Act for expenditures made by the
12 taxpayer during the taxable year for qualified college tuition
13 expenses paid for the taxpayer or a dependent of the taxpayer,
14 as determined under this Act, for up to 4 years of college
15 education for each eligible student attending an institution of
16 higher education. The amount of the credit is equal to 25% of
17 the qualified college tuition expenses, but not to exceed
18 \$2,500 per student per taxable year. If a taxpayer claims a
19 credit for a dependent, then that dependent may not claim a
20 credit on the dependent's return for that taxable year.

21 (b) "Qualified college tuition expenses" means the tuition
22 required for the enrollment or attendance of a student who is
23 eligible to receive grants from the Monetary Award Program at

1 an institution of higher education, except that tuition
2 payments made through scholarships or other financial aid are
3 excluded and tuition payments for post-baccalaureate or other
4 graduate degrees are excluded.

5 (c) In no event shall a credit under this Section reduce
6 the taxpayer's liability to less than zero. If the amount of
7 the credit exceeds the tax liability for the year, the excess
8 may not be carried carried back or carried forward.

9 (d) This Section is exempt from the provisions of Section
10 250.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.