



Rep. Michael J. Zalewski

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09700HB5014ham001

LRB097 19859 HLH 65681 a

1 AMENDMENT TO HOUSE BILL 5014

2 AMENDMENT NO. _____. Amend House Bill 5014 on page 1, line
3 5, by replacing "Section 1i" with "Sections 1f and 1i"; and

4 on page 1, immediately below line 5, by inserting the
5 following:

6 "(35 ILCS 120/1f) (from Ch. 120, par. 440f)

7 Sec. 1f. Except for High Impact Businesses, the exemption
8 stated in Sections 1d and 1e of this Act shall only apply to
9 business enterprises which:

10 (1) either (i) make investments which cause the
11 creation of a minimum of 200 full-time equivalent jobs in
12 Illinois or (ii) make investments which cause the retention
13 of a minimum of 2000 full-time jobs in Illinois or (iii)
14 make investments of a minimum of \$40,000,000 and retain at
15 least 90% of the jobs in place on the date on which the
16 exemption is granted and for the duration of the exemption;

1 and

2 (2) are located in an Enterprise Zone established
3 pursuant to the Illinois Enterprise Zone Act; and

4 (3) are certified by the Department of Commerce and
5 Economic Opportunity as complying with the requirements
6 specified in clauses (1), (2) and (3).

7 Any business enterprise seeking to avail itself of the
8 exemptions stated in Sections 1d or 1e, or both, shall make
9 application to the Department of Commerce and Economic
10 Opportunity in such form and providing such information as may
11 be prescribed by the Department of Commerce and Economic
12 Opportunity. However, no business enterprise shall be
13 required, as a condition for certification under clause (4) of
14 this Section, to attest that its decision to invest under
15 clause (1) of this Section and to locate under clause (2) of
16 this Section is predicated upon the availability of the
17 exemptions authorized by Sections 1d or 1e.

18 The Department of Commerce and Economic Opportunity shall
19 determine whether the business enterprise meets the criteria
20 prescribed in this Section. If the Department of Commerce and
21 Economic Opportunity determines that such business enterprise
22 meets the criteria, it shall issue a certificate of eligibility
23 for exemption to the business enterprise in such form as is
24 prescribed by the Department of Revenue. The Department of
25 Commerce and Economic Opportunity shall act upon such
26 certification requests within 60 days after receipt of the

1 application, and shall file with the Department of Revenue a
2 copy of each certificate of eligibility for exemption.

3 The Department of Commerce and Economic Opportunity shall
4 have the power to promulgate rules and regulations to carry out
5 the provisions of this Section including the power to define
6 the amounts and types of eligible investments not specified in
7 this Section which business enterprises must make in order to
8 receive the exemptions stated in Sections 1d and 1e of this
9 Act; and to require that any business enterprise that is
10 granted a tax exemption repay the exempted tax if the business
11 enterprise fails to comply with the terms and conditions of the
12 certification.

13 Such certificate of eligibility for exemption shall be
14 presented by the business enterprise to its supplier when
15 making the initial purchase of tangible personal property for
16 which an exemption is granted by Section 1d or Section 1e, or
17 both, together with a certification by the business enterprise
18 that such tangible personal property is exempt from taxation
19 under Section 1d or Section 1e and by indicating the exempt
20 status of each subsequent purchase on the face of the purchase
21 order.

22 The Department of Commerce and Economic Opportunity shall
23 determine the period during which such exemption from the taxes
24 imposed under this Act is in effect which shall not exceed 20
25 years, except for a business certified by the Department as a
26 High Impact Service Facility, in which case the exemption shall

1 not exceed 25 years.

2 (Source: P.A. 94-793, eff. 5-19-06.)".