



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB1193

by Rep. Maria Antonia Berrios

SYNOPSIS AS INTRODUCED:

35 ILCS 5/1009 new

Amends the Illinois Income Tax Act. Provides that, within 60 days after the Department of Revenue or the Illinois Independent Tax Tribunal issues a final decision that any elected official has (i) failed to file a return required under the Act or (ii) failed to pay all or a portion of the tax due under the Act, that elected official must either (A) pay all such delinquent amounts, together with any penalties and interest, or (B) resign from that elective office. Effective immediately.

LRB098 03813 HLH 33829 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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 1009 as follows:

6 (35 ILCS 5/1009 new)

7 Sec. 1009. Elected officials. Notwithstanding any other
8 provision of law, within 60 days after the Department or the
9 Illinois Independent Tax Tribunal issues a final decision that
10 any elected official has (i) failed to file a return required
11 under this Act or (ii) failed to pay all or a portion of the tax
12 due under subsections (a) and (b) of Section 201 of this Act,
13 that elected official must either (A) pay all such delinquent
14 amounts, together with any penalties and interest, or (B)
15 resign from that elective office. Any resignation under this
16 Section creates a vacancy, which shall be filled according to
17 the Illinois Constitution.

18 For the purposes of this Section, "elected official" means
19 any executive branch constitutional officer or legislative
20 branch constitutional officer. "Executive branch
21 constitutional officer" means the Governor, Lieutenant
22 Governor, Attorney General, Secretary of State, Comptroller,
23 and Treasurer. "Legislative branch constitutional officer"

1 means a member of the General Assembly and the Auditor General.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.