

# HB3189



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB3189

by Rep. Eddie Lee Jackson, Sr.

#### SYNOPSIS AS INTRODUCED:

35 ILCS 5/224 new

Amends the Illinois Income Tax Act. Creates an income tax credit for taxpayers who purchase a new accessible residence, or retrofit an existing residence to improve accessibility and provide universal visitability. Provides that the credit may not exceed \$2,500. Provides that the total amount of tax credits granted for any fiscal year shall not exceed \$2,000,000. Provides that the credit is exempt from the Act's automatic sunset provision.

LRB099 07192 HLH 31227 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT 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 224 as follows:

6 (35 ILCS 5/224 new)

7 Sec. 224. Residential accessibility modifications.

8 (a) For taxable years beginning on or after January 1,  
9 2016, any taxpayer who purchases a new residence or retrofits  
10 or hires someone to retrofit an existing residence, provided  
11 that such new residence or the retrofitting of such existing  
12 residence is designed to improve accessibility for elderly or  
13 disabled individuals and provide universal visitability, shall  
14 be allowed a credit against the tax imposed under subsections  
15 (a) and (b) of Section 201. The credit allowed under this  
16 Section shall not exceed \$2,500 for each eligible residence.

17 (b) The credit shall be allowed for the taxable year in  
18 which the residence has been purchased or the construction,  
19 retrofitting, or renovation of the residence or residential  
20 structure or unit has been completed.

21 (c) Eligible taxpayers shall apply for the credit by making  
22 application to the Department of Revenue. The Department of  
23 Revenue shall issue a certification for an approved application

1 to the taxpayer. The taxpayer shall attach the certification to  
2 the applicable income tax return. The total amount of tax  
3 credits granted under this Section for any fiscal year shall  
4 not exceed \$2,000,000.

5 (d) In no event shall a credit under this Section reduce  
6 the taxpayer's liability to less than zero. If the amount of  
7 credit exceeds the taxpayer's income tax liability for the  
8 taxable year, then the amount that exceeds the tax liability  
9 may be carried over for credit against the income taxes of such  
10 taxpayer in the next 7 taxable years or until the total amount  
11 of the tax credit issued has been taken, whichever is sooner.  
12 For partners, shareholders of subchapter S corporations, and  
13 owners of limited liability companies, if the liability company  
14 is treated as a partnership for purposes of federal and State  
15 income taxation, there shall be allowed a credit under this  
16 Section to be determined in accordance with the determination  
17 of income and distributive share of income under Sections 702  
18 and 704 and subchapter S of the Internal Revenue Code.

19 (e) The Department may adopt rules requiring documentation  
20 of the taxpayer's disability and establishing the types of  
21 modifications that qualify for the credit under this Section.

22 (f) This Section is exempt from the provisions of Section  
23 250.