



Sen. Toi W. Hutchinson

Filed: 4/13/2016

09900SB2921sam002

LRB099 18716 HLH 47241 a

1 AMENDMENT TO SENATE BILL 2921

2 AMENDMENT NO. _____. Amend Senate Bill 2921, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment No.
4 1, by replacing everything from line 26 on page 10 through line
5 23 on page 11 with the following:

6 "liability resulting from the audit or investigation. The
7 changes made by this amendatory Act of the 99th General
8 Assembly do not apply for the purposes of determining the
9 amount of penalty assessed under this subsection prior to the
10 effective date of this amendatory Act of the 99th General
11 Assembly. ~~the entire amount due is paid not later than 30 days~~
12 ~~after the Department has provided the taxpayer with an amended~~
13 ~~return (following completion of an occupation, use, or excise~~
14 ~~tax audit) or a form for waiver of restrictions on assessment~~
15 ~~(following completion of an income tax audit); provided further~~
16 ~~that the reduction to 15% shall be rescinded if the taxpayer~~
17 ~~makes any claim for refund or credit of the tax, penalties, or~~
18 ~~interest determined to be due upon audit, except in the case of~~

1 ~~a claim filed pursuant to subsection (b) of Section 506 of the~~
2 ~~Illinois Income Tax Act or to claim a carryover of a loss or~~
3 ~~credit, the availability of which was not determined in the~~
4 ~~audit.~~ For purposes of this paragraph (2), any overpayment
5 reported on an original return that has been allowed as a
6 refund or credit to the taxpayer shall be deemed to have not
7 been paid on or before the due date for payment and any amount
8 paid under protest pursuant to the provisions of the State
9 Officers and Employees Money Disposition Act shall be deemed to
10 have been paid after the Department has initiated an audit.
11 ~~and".~~