



Rep. Mark L. Walker

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1 AMENDMENT TO HOUSE BILL 3318

2 AMENDMENT NO. _____. Amend House Bill 3318 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Commerce and Economic
5 Opportunity Law of the Civil Administrative Code of Illinois is
6 amended by adding Section 605-470 as follows:

7 (20 ILCS 605/605-470 new)

8 Sec. 605-470. Online central repository. The Department
9 shall provide on its website a central repository for new and
10 existing businesses that shall contain all permitting,
11 licensing, and registration forms and documents needed to
12 conduct business in Illinois, as well as content about how to
13 start a business, industry-specific programming, connections
14 to mentors, and referrals to investors. When submitting
15 applications for tax credits administered by the Department,
16 applicants may choose to allow the Department to share their

1 contact information on the central repository. The Department
2 may adopt rules necessary to implement this Section.

3 Section 10. The Illinois Enterprise Zone Act is amended by
4 changing Sections 5.4 and 8.1 as follows:

5 (20 ILCS 655/5.4) (from Ch. 67 1/2, par. 609)

6 Sec. 5.4. Amendment and Decertification of Enterprise
7 Zones.

8 (a) The terms of a certified enterprise zone designating
9 ordinance may be amended to

10 (i) alter the boundaries of the Enterprise Zone, or

11 (ii) expand, limit or repeal tax incentives or benefits
12 provided in the ordinance, or

13 (iii) alter the termination date of the zone, or

14 (iv) make technical corrections in the enterprise zone
15 designating ordinance; but such amendment shall not be
16 effective unless the Department issues an amended
17 certificate for the Enterprise Zone, approving the amended
18 designating ordinance. Upon the adoption of any ordinance
19 amending or repealing the terms of a certified enterprise
20 zone designating ordinance, the municipality or county
21 shall promptly file with the Department an application for
22 approval thereof, containing substantially the same
23 information as required for an application under Section
24 5.1 insofar as material to the proposed changes. The

1 municipality or county must hold a public hearing on the
2 proposed changes as specified in Section 5 and, if the
3 amendment is to effectuate the limitation of tax abatements
4 under Section 5.4.1, then the public notice of the hearing
5 shall state that property that is in both the enterprise
6 zone and a redevelopment project area may not receive tax
7 abatements unless within 60 days after the adoption of the
8 amendment to the designating ordinance the municipality
9 has determined that eligibility for tax abatements has been
10 established,

11 (v) include an area within another municipality or
12 county as part of the designated enterprise zone provided
13 the requirements of Section 4 are complied with, or

14 (vi) effectuate the limitation of tax abatements under
15 Section 5.4.1.

16 (b) The Department shall approve or disapprove a proposed
17 amendment to a certified enterprise zone within 90 days of its
18 receipt of the application from the municipality or county. The
19 Department may not approve changes in a Zone which are not in
20 conformity with this Act, as now or hereafter amended, or with
21 other applicable laws. If the Department issues an amended
22 certificate for an Enterprise Zone, the amended certificate,
23 together with the amended zone designating ordinance, shall be
24 filed, recorded and transmitted as provided in Section 5.3.

25 (c) An Enterprise Zone may be decertified by joint action
26 of the Department and the designating county or municipality in

1 accordance with this Section. The designating county or
2 municipality shall conduct at least one public hearing within
3 the zone prior to its adoption of an ordinance of
4 de-designation. The mayor of the designating municipality or
5 the chairman of the county board of the designating county
6 shall execute a joint decertification agreement with the
7 Department. A decertification of an Enterprise Zone shall not
8 become effective until at least 6 months after the execution of
9 the decertification agreement, which shall be filed in the
10 office of the Secretary of State.

11 (d) An Enterprise Zone may be decertified for cause by the
12 Department in accordance with this Section. Prior to
13 decertification: (1) the Department shall notify the chief
14 elected official of the designating county or municipality in
15 writing of the specific deficiencies which provide cause for
16 decertification; (2) the Department shall place the
17 designating county or municipality on probationary status for
18 at least 6 months during which time corrective action may be
19 achieved in the enterprise zone by the designating county or
20 municipality; and, (3) the Department shall conduct at least
21 one public hearing within the zone. If such corrective action
22 is not achieved during the probationary period, the Department
23 shall issue an amended certificate signed by the Director of
24 the Department decertifying the enterprise zone, which
25 certificate shall be filed in the office of the Secretary of
26 State. A certified copy of the amended enterprise zone

1 certificate, or a duplicate original thereof, shall be recorded
2 in the office of recorder of the county in which the enterprise
3 zone lies, and shall be provided to the chief elected official
4 of the designating county or municipality. Decertification of
5 an Enterprise Zone shall not become effective until 60 days
6 after the date of filing.

7 (d-5) The Department shall decertify any Enterprise Zone
8 that fails to report any capital investment, job creation or
9 retention, or State tax expenditures for 3 consecutive calendar
10 years. Prior to decertification: (1) the Department shall
11 notify the chief elected official of the designating county or
12 municipality in writing of the specific deficiencies which
13 provide cause for decertification; (2) the Department shall
14 place the designating county or municipality on probationary
15 status for at least 6 months during which time corrective
16 action may be achieved in the Enterprise Zone by the
17 designating county or municipality; and (3) the Department
18 shall conduct at least one public hearing within the Zone. If
19 such corrective action is not achieved during the probationary
20 period, the Department shall issue an amended certificate
21 signed by the Director of the Department decertifying the
22 Enterprise Zone as of the scheduled termination date of the
23 then-current designation. If the decertified Zone was approved
24 and designated after the 101st General Assembly and has been in
25 existence for less than 15 years, such Zone shall not be
26 eligible for an additional 10-year designation after the

1 expiration date of the original Zone set forth in subsection
2 (c) of Section 5.3. Further, if such corrective action is not
3 achieved during the probationary period provided for in this
4 Section, following such probationary period the Zone becomes
5 available for a different area to compete for designation.

6 (e) In the event of a decertification, or an amendment
7 reducing the length of the term or the area of an Enterprise
8 Zone or the adoption of an ordinance reducing or eliminating
9 tax benefits in an Enterprise Zone, all benefits previously
10 extended within the Zone pursuant to this Act or pursuant to
11 any other Illinois law providing benefits specifically to or
12 within Enterprise Zones shall remain in effect for the original
13 stated term of the Enterprise Zone, with respect to business
14 enterprises within the Zone on the effective date of such
15 decertification or amendment, and with respect to individuals
16 participating in urban homestead programs under this Act.

17 (f) Except as otherwise provided in Section 5.4.1, with
18 respect to business enterprises (or expansions thereof) which
19 are proposed or under development within a Zone at the time of
20 a decertification or an amendment reducing the length of the
21 term of the Zone, or excluding from the Zone area the site of
22 the proposed enterprise, or an ordinance reducing or
23 eliminating tax benefits in a Zone, such business enterprise
24 shall be entitled to the benefits previously applicable within
25 the Zone for the original stated term of the Zone, if the
26 business enterprise establishes:

1 (i) that the proposed business enterprise or expansion
2 has been committed to be located within the Zone;

3 (ii) that substantial and binding financial
4 obligations have been made towards the development of such
5 enterprise; and

6 (iii) that such commitments have been made in
7 reasonable reliance on the benefits and programs which were
8 to have been applicable to the enterprise by reason of the
9 Zone, including in the case of a reduction in term of a
10 zone, the original length of the term.

11 In declaratory judgment actions under this paragraph, the
12 Department and the designating municipality or county shall be
13 necessary parties defendant.

14 (Source: P.A. 90-258, eff. 7-30-97.)

15 (20 ILCS 655/8.1)

16 Sec. 8.1. Accounting.

17 (a) Any business receiving tax incentives due to its
18 location within an Enterprise Zone or its designation as a High
19 Impact Business must annually report to the Department of
20 Revenue information reasonably required by the Department of
21 Revenue to enable the Department to verify and calculate the
22 total Enterprise Zone or High Impact Business tax benefits for
23 property taxes and taxes imposed by the State that are received
24 by the business, broken down by incentive category and
25 enterprise zone, if applicable. Reports will be due no later

1 than May 31 of each year and shall cover the previous calendar
2 year. The first report will be for the 2012 calendar year and
3 will be due no later than May 31, 2013. Failure to report data
4 may result in ineligibility to receive incentives. To the
5 extent that a business receiving tax incentives has obtained an
6 Enterprise Zone Building Materials Exemption Certificate or a
7 High Impact Business Building Materials Exemption Certificate,
8 that business is required to report those building materials
9 exemption benefits only under subsection (a-5) of this Section.
10 No additional reporting for those building materials exemption
11 benefits is required under this subsection (a). In addition, if
12 the Department determines that 60% or more of the businesses
13 receiving tax incentives because of their location within a
14 particular Enterprise Zone failed to submit the information
15 required under this subsection (a) to the Department in any
16 calendar year, then the Enterprise Zone may be decertified by
17 the Department. The Department, in consultation with the
18 Department of Revenue, is authorized to adopt rules governing
19 ineligibility to receive exemptions, including the length of
20 ineligibility. Factors to be considered in determining whether
21 a business is ineligible shall include, but are not limited to,
22 prior compliance with the reporting requirements, cooperation
23 in discontinuing and correcting violations, the extent of the
24 violation, and whether the violation was willful or
25 inadvertent.

26 (a-5) Each contractor or other entity that has been issued

1 an Enterprise Zone Building Materials Exemption Certificate
2 under Section 5k of the Retailers' Occupation Tax Act or a High
3 Impact Business Building Materials Exemption Certificate under
4 Section 5l of the Retailers' Occupation Tax Act shall annually
5 report to the Department of Revenue the total value of the
6 Enterprise Zone or High Impact Business building materials
7 exemption from State taxes. Reports shall contain information
8 reasonably required by the Department of Revenue to enable it
9 to verify and calculate the total tax benefits for taxes
10 imposed by the State, and shall be broken down by Enterprise
11 Zone. Reports are due no later than May 31 of each year and
12 shall cover the previous calendar year. The first report will
13 be for the 2013 calendar year and will be due no later than May
14 31, 2014. Failure to report data may result in revocation of
15 the Enterprise Zone Building Materials Exemption Certificate
16 or High Impact Business Building Materials Exemption
17 Certificate issued to the contractor or other entity.

18 The Department of Revenue is authorized to adopt rules
19 governing revocation determinations, including the length of
20 revocation. Factors to be considered in revocations shall
21 include, but are not limited to, prior compliance with the
22 reporting requirements, cooperation in discontinuing and
23 correcting violations, and whether the certificate was used
24 unlawfully during the preceding year.

25 (b) Each person required to file a return under the Gas
26 Revenue Tax Act, the Gas Use Tax Act, the Electricity Excise

1 Tax Act, or the Telecommunications Excise Tax Act shall file,
2 on or before May 31 of each year, a report with the Department
3 of Revenue, in the manner and form required by the Department
4 of Revenue, containing information reasonably required by the
5 Department of Revenue to enable the Department of Revenue to
6 calculate the amount of the deduction for taxes imposed by the
7 State that is taken under each Act, respectively, due to the
8 location of a business in an Enterprise Zone or its designation
9 as a High Impact Business. The report shall be itemized by
10 business and the business location address.

11 (c) Employers shall report their job creation, retention,
12 and capital investment numbers within the zone annually to the
13 Department of Revenue no later than May 31 of each calendar
14 year. High Impact Businesses shall report their job creation,
15 retention, and capital investment numbers to the Department of
16 Revenue no later than May 31 of each year.

17 (d) The Department of Revenue will aggregate and collect
18 the tax, job, and capital investment data by Enterprise Zone
19 and High Impact Business and report this information, formatted
20 to exclude company-specific proprietary information, to the
21 Department and the Board by August 1, 2013, and by August 1 of
22 every calendar year thereafter. The Department will include
23 this information in their required reports under Section 6 of
24 this Act. The Board shall consider this information during the
25 reviews required under subsection (d-5) of Section 5.4 of this
26 Act and subsection (c) of Section 5.3 of this Act.

1 (e) The Department of Revenue, in its discretion, may
2 require that the reports filed under this Section be submitted
3 electronically.

4 (f) The Department of Revenue shall have the authority to
5 adopt rules as are reasonable and necessary to implement the
6 provisions of this Section.

7 (Source: P.A. 97-905, eff. 8-7-12; 98-109, eff. 7-25-13.)

8 Section 15. The Illinois Income Tax Act is amended by
9 changing Section 220 and by adding Sections 232 and 233 as
10 follows:

11 (35 ILCS 5/220)

12 Sec. 220. Angel investment credit.

13 (a) As used in this Section:

14 "Applicant" means a corporation, partnership, limited
15 liability company, or a natural person that makes an investment
16 in a qualified new business venture. The term "applicant" does
17 not include (i) a corporation, partnership, limited liability
18 company, or a natural person who has a direct or indirect
19 ownership interest of at least 33% ~~51%~~ in the profits, capital,
20 or value of the qualified new business venture receiving the
21 investment or (ii) a related member.

22 "Claimant" means an applicant certified by the Department
23 who files a claim for a credit under this Section.

24 "Department" means the Department of Commerce and Economic

1 Opportunity.

2 "Investment" means money (or its equivalent) given to a
3 qualified new business venture, at a risk of loss, in
4 consideration for an equity interest of the qualified new
5 business venture. The Department may adopt rules to permit
6 certain forms of contingent equity investments to be considered
7 eligible for a tax credit under this Section.

8 "Qualified new business venture" means a business that is
9 registered with the Department under this Section.

10 "Related member" means a person that, with respect to the
11 applicant, is any one of the following:

12 (1) An individual, if the individual and the members of
13 the individual's family (as defined in Section 318 of the
14 Internal Revenue Code) own directly, indirectly,
15 beneficially, or constructively, in the aggregate, at
16 least 50% of the value of the outstanding profits, capital,
17 stock, or other ownership interest in the qualified new
18 business venture that is the recipient of the applicant's
19 investment.

20 (2) A partnership, estate, or trust and any partner or
21 beneficiary, if the partnership, estate, or trust and its
22 partners or beneficiaries own directly, indirectly,
23 beneficially, or constructively, in the aggregate, at
24 least 50% of the profits, capital, stock, or other
25 ownership interest in the qualified new business venture
26 that is the recipient of the applicant's investment.

1 (3) A corporation, and any party related to the
2 corporation in a manner that would require an attribution
3 of stock from the corporation under the attribution rules
4 of Section 318 of the Internal Revenue Code, if the
5 applicant and any other related member own, in the
6 aggregate, directly, indirectly, beneficially, or
7 constructively, at least 50% of the value of the
8 outstanding stock of the qualified new business venture
9 that is the recipient of the applicant's investment.

10 (4) A corporation and any party related to that
11 corporation in a manner that would require an attribution
12 of stock from the corporation to the party or from the
13 party to the corporation under the attribution rules of
14 Section 318 of the Internal Revenue Code, if the
15 corporation and all such related parties own, in the
16 aggregate, at least 50% of the profits, capital, stock, or
17 other ownership interest in the qualified new business
18 venture that is the recipient of the applicant's
19 investment.

20 (5) A person to or from whom there is attribution of
21 ownership of stock in the qualified new business venture
22 that is the recipient of the applicant's investment in
23 accordance with Section 1563(e) of the Internal Revenue
24 Code, except that for purposes of determining whether a
25 person is a related member under this paragraph, "20%"
26 shall be substituted for "5%" whenever "5%" appears in

1 Section 1563(e) of the Internal Revenue Code.

2 "Social equity business" means a business that is a
3 qualified social equity applicant, as defined in Section 1-10
4 of the Cannabis Regulation and Tax Act.

5 (b) For taxable years beginning after December 31, 2010,
6 and ending on or before December 31, 2021, subject to the
7 limitations provided in this Section, a claimant may claim, as
8 a credit against the tax imposed under subsections (a) and (b)
9 of Section 201 of this Act, an amount equal to 25% of the
10 claimant's investment made directly in a qualified new business
11 venture. However, if the investment is made in: (1) a qualified
12 new business venture that is minority-owned, women-owned, or is
13 a business owned a person with a disability (as those terms are
14 used and defined in the Business Enterprise for Minorities,
15 Women, and Persons with Disabilities Act); or (2) a qualified
16 new business venture in which the principal place of business
17 is located in a county with a population of not more than
18 250,000, then the amount of the credit is 35% of the claimant's
19 investment made directly in a qualified new business venture.

20 In order for an investment in a qualified new business venture
21 to be eligible for tax credits, the business must have applied
22 for and received certification under subsection (e) for the
23 taxable year in which the investment was made prior to the date
24 on which the investment was made. The credit under this Section
25 may not exceed the taxpayer's Illinois income tax liability for
26 the taxable year. If the amount of the credit exceeds the tax

1 liability for the year, the excess may be carried forward and
2 applied to the tax liability of the 5 taxable years following
3 the excess credit year. The credit shall be applied to the
4 earliest year for which there is a tax liability. If there are
5 credits from more than one tax year that are available to
6 offset a liability, the earlier credit shall be applied first.
7 In the case of a partnership or Subchapter S Corporation, the
8 credit is allowed to the partners or shareholders in accordance
9 with the determination of income and distributive share of
10 income under Sections 702 and 704 and Subchapter S of the
11 Internal Revenue Code.

12 (c) The minimum amount an applicant must invest in any
13 single qualified new business venture in order to be eligible
14 for a credit under this Section is \$10,000. The maximum amount
15 of an applicant's total investment made in any single qualified
16 new business venture that may be used as the basis for a credit
17 under this Section is \$1,000,000 ~~\$2,000,000~~.

18 (d) The Department shall implement a program to certify an
19 applicant for an angel investment credit. Upon satisfactory
20 review, the Department shall issue a tax credit certificate
21 stating the amount of the tax credit to which the applicant is
22 entitled. The Department shall annually certify that: (i) each
23 qualified new business venture that receives an angel
24 investment under this Section has maintained a minimum
25 employment threshold, as defined by rule, in the State (and
26 continues to maintain a minimum employment threshold in the

1 State for a period of no less than 3 years from the issue date
2 of the last tax credit certificate issued by the Department
3 with respect to such business pursuant to this Section); and
4 (ii) the claimant's investment has been made and remains,
5 except in the event of a qualifying liquidity event, in the
6 qualified new business venture for no less than 3 years.

7 If an investment for which a claimant is allowed a credit
8 under subsection (b) is held by the claimant for less than 3
9 years, other than as a result of a permitted sale of the
10 investment to person who is not a related member, the claimant
11 shall pay to the Department of Revenue, in the manner
12 prescribed by the Department of Revenue, the aggregate amount
13 of the disqualified credits that the claimant received related
14 to the subject investment.

15 If the Department determines that a qualified new business
16 venture failed to maintain a minimum employment threshold in
17 the State through the date which is 3 years from the issue date
18 of the last tax credit certificate issued by the Department
19 with respect to the subject business pursuant to this Section,
20 the claimant or claimants shall pay to the Department of
21 Revenue, in the manner prescribed by the Department of Revenue,
22 the aggregate amount of the disqualified credits that claimant
23 or claimants received related to investments in that business.

24 (e) The Department shall implement a program to register
25 qualified new business ventures for purposes of this Section. A
26 business desiring registration under this Section shall be

1 required to submit a full and complete application to the
2 Department. A submitted application shall be effective only for
3 the taxable year in which it is submitted, and a business
4 desiring registration under this Section shall be required to
5 submit a separate application in and for each taxable year for
6 which the business desires registration. Further, if at any
7 time prior to the acceptance of an application for registration
8 under this Section by the Department one or more events occurs
9 which makes the information provided in that application
10 materially false or incomplete (in whole or in part), the
11 business shall promptly notify the Department of the same. Any
12 failure of a business to promptly provide the foregoing
13 information to the Department may, at the discretion of the
14 Department, result in a revocation of a previously approved
15 application for that business, or disqualification of the
16 business from future registration under this Section, or both.
17 The Department may register the business only if all of the
18 following conditions are satisfied:

19 (1) it has its principal place of business in this
20 State;

21 (2) at least 51% of the employees employed by the
22 business are employed in this State;

23 (3) the business has the potential for increasing jobs
24 in this State, increasing capital investment in this State,
25 or both, as determined by the Department, and any ~~either~~ of
26 the following apply:

1 (A) it is principally engaged in innovation in any
2 of the following: manufacturing; biotechnology;
3 nanotechnology; communications; agricultural sciences;
4 clean energy creation or storage technology;
5 processing or assembling products, including medical
6 devices, pharmaceuticals, computer software, computer
7 hardware, semiconductors, other innovative technology
8 products, or other products that are produced using
9 manufacturing methods that are enabled by applying
10 proprietary technology; or providing services that are
11 enabled by applying proprietary technology; ~~or~~

12 (B) it is undertaking pre-commercialization
13 activity related to proprietary technology that
14 includes conducting research, developing a new product
15 or business process, or developing a service that is
16 principally reliant on applying proprietary
17 technology; or

18 (C) the business is a social equity business and is
19 engaged in innovation in the field of cannabis
20 cultivation, extraction, processing, distribution,
21 infusion, or dispensing, or is undertaking
22 pre-commercialization activity within the adult use
23 cannabis industry related to proprietary technology
24 that includes conducting research, developing a new
25 product or business process, or developing a service
26 that is principally reliant on applying proprietary

1 technology;

2 (4) it is not principally engaged in real estate
3 development, insurance, banking, lending, lobbying,
4 political consulting, professional services provided by
5 attorneys, accountants, business consultants, physicians,
6 or health care consultants, wholesale or retail trade,
7 leisure, hospitality, transportation, or construction,
8 except construction of power production plants that derive
9 energy from a renewable energy resource, as defined in
10 Section 1 of the Illinois Power Agency Act; however, the
11 restrictions in this Section relating to wholesale or
12 retail trade and transportation shall not apply to social
13 equity businesses;

14 (5) at the time it is first certified:

15 (A) it has fewer than 100 employees;

16 (B) it has been in operation in Illinois for not
17 more than 10 consecutive years prior to the year of
18 certification; and

19 (C) it has received not more than \$5,000,000
20 ~~\$10,000,000~~ in aggregate investments;

21 (5.1) it agrees to maintain a minimum employment
22 threshold in the State of Illinois prior to the date which
23 is 3 years from the issue date of the last tax credit
24 certificate issued by the Department with respect to that
25 business pursuant to this Section;

26 (6) (blank); and

1 (7) it has received not more than \$2,000,000 ~~\$4,000,000~~
2 in investments that qualified for tax credits under this
3 Section.

4 (f) The Department, in consultation with the Department of
5 Revenue, shall adopt rules to administer this Section. The
6 aggregate amount of the tax credits that may be claimed under
7 this Section for investments made in qualified new business
8 ventures shall be limited at \$10,000,000 per calendar year, of
9 which \$1,500,000 ~~\$500,000~~ shall be reserved for investments
10 made in qualified new business ventures which are
11 minority-owned businesses, women-owned businesses, or
12 businesses owned by a person with a disability (as those terms
13 are used and defined in the Business Enterprise for Minorities,
14 Women, and Persons with Disabilities Act), and an additional
15 \$1,500,000 ~~\$500,000~~ shall be reserved for investments made in
16 qualified new business ventures with their principal place of
17 business in counties with a population of not more than
18 250,000. The foregoing annual allowable amounts shall be
19 allocated by the Department, on a per calendar quarter basis
20 and prior to the commencement of each calendar year, in such
21 proportion as determined by the Department, provided that: (i)
22 the amount initially allocated by the Department for any one
23 calendar quarter shall not exceed 35% of the total allowable
24 amount; (ii) any portion of the allocated allowable amount
25 remaining unused as of the end of any of the first 3 calendar
26 quarters of a given calendar year shall be rolled into, and

1 added to, the total allocated amount for the next available
2 calendar quarter; and (iii) the reservation of tax credits for
3 investments in minority-owned businesses, women-owned
4 businesses, businesses owned by a person with a disability, and
5 in businesses in counties with a population of not more than
6 250,000 is limited to the first 3 calendar quarters of a given
7 calendar year, after which they may be claimed by investors in
8 any qualified new business venture.

9 (g) A claimant may not sell or otherwise transfer a credit
10 awarded under this Section to another person.

11 (h) On or before March 1 of each year, the Department shall
12 report to the Governor and to the General Assembly on the tax
13 credit certificates awarded under this Section for the prior
14 calendar year.

15 (1) This report must include, for each tax credit
16 certificate awarded:

17 (A) the name of the claimant and the amount of
18 credit awarded or allocated to that claimant;

19 (B) the name and address (including the county) of
20 the qualified new business venture that received the
21 investment giving rise to the credit, the North
22 American Industry Classification System (NAICS) code
23 applicable to that qualified new business venture, and
24 the number of employees of the qualified new business
25 venture; and

26 (C) the date of approval by the Department of each

1 claimant's tax credit certificate.

2 (2) The report must also include:

3 (A) the total number of applicants and the total
4 number of claimants, including the amount of each tax
5 credit certificate awarded to a claimant under this
6 Section in the prior calendar year;

7 (B) the total number of applications from
8 businesses seeking registration under this Section,
9 the total number of new qualified business ventures
10 registered by the Department, and the aggregate amount
11 of investment upon which tax credit certificates were
12 issued in the prior calendar year; and

13 (C) the total amount of tax credit certificates
14 sought by applicants, the amount of each tax credit
15 certificate issued to a claimant, the aggregate amount
16 of all tax credit certificates issued in the prior
17 calendar year and the aggregate amount of tax credit
18 certificates issued as authorized under this Section
19 for all calendar years.

20 (i) For each business seeking registration under this
21 Section after December 31, 2016, the Department shall require
22 the business to include in its application the North American
23 Industry Classification System (NAICS) code applicable to the
24 business and the number of employees of the business at the
25 time of application. Each business registered by the Department
26 as a qualified new business venture that receives an investment

1 giving rise to the issuance of a tax credit certificate
2 pursuant to this Section shall, for each of the 3 years
3 following the issue date of the last tax credit certificate
4 issued by the Department with respect to such business pursuant
5 to this Section, report to the Department the following:

6 (1) the number of employees and the location at which
7 those employees are employed, both as of the end of each
8 year;

9 (2) the amount of additional new capital investment
10 raised as of the end of each year, if any; and

11 (3) the terms of any liquidity event occurring during
12 such year; for the purposes of this Section, a "liquidity
13 event" means any event that would be considered an exit for
14 an illiquid investment, including any event that allows the
15 equity holders of the business (or any material portion
16 thereof) to cash out some or all of their respective equity
17 interests.

18 (Source: P.A. 100-328, eff. 1-1-18; 100-686, eff. 1-1-19;
19 100-863, eff. 8-14-18; 101-81, eff. 7-12-19.)

20 (35 ILCS 5/232 new)

21 Sec. 232. Credit for full-time employees in a county with
22 fewer than 250,000 inhabitants.

23 (a) For taxable years beginning on or after January 1,
24 2021, each taxpayer that hires a full-time employee to fill a
25 position at a location in a county with fewer than 250,000

1 inhabitants is entitled to a credit against the taxes imposed
2 by subsections (a) and (b) of Section 201 of this Act in an
3 amount not to exceed \$5,000 per eligible employee in any
4 taxable year. The credit may be taken for the taxable year in
5 which the employee is hired and for the next taxable year if
6 the employee remains employed with that taxpayer in the next
7 taxable year. The amount of the credit shall be \$5,000 in each
8 taxable year, multiplied by a fraction the numerator of which
9 is the number of days the employee is employed by the taxpayer
10 during the taxable year and the denominator of which is 365.

11 (b) For partners, shareholders of Subchapter S
12 corporations, and owners of limited liability companies, if the
13 liability company is treated as a partnership for purposes of
14 federal and State income taxation, there shall be allowed a
15 credit under this Section to be determined in accordance with
16 the determination of income and distributive share of income
17 under Sections 702 and 704 and Subchapter S of the Internal
18 Revenue Code.

19 (c) In no event shall a credit under this Section reduce
20 the taxpayer's liability to less than zero. If the amount of
21 the credit exceeds the tax liability for the year, the excess
22 may be carried forward and applied to the tax liability of the
23 5 taxable years following the excess credit year. The tax
24 credit shall be applied to the earliest year for which there is
25 a tax liability. If there are credits for more than one year
26 that are available to offset a liability, the earlier credit

1 shall be applied first.

2 (d) As used in this Section, "full-time employee" means an
3 individual who is employed for consideration for at least 35
4 hours each week or who renders any other standard of service
5 generally accepted by industry custom or practice as full-time
6 employment. An individual for whom a W-2 is issued by a
7 Professional Employer Organization (PEO) is a full-time
8 employee if employed in the service of the taxpayer for
9 consideration for at least 35 hours each week or who renders
10 any other standard of service generally accepted by industry
11 custom or practice as full-time employment to the taxpayer.

12 (e) This Section is exempt from the provisions of Section
13 250.

14 (35 ILCS 5/233 new)

15 Sec. 233. Student loan repayment credit.

16 (a) For taxable years beginning on or after January 1,
17 2021, a qualified taxpayer may apply to the Department for a
18 credit against the tax imposed by subsections (a) and (b) of
19 Section 201. The amount of the credit shall be equal to the
20 taxpayer's student loan repayment expenses for each qualified
21 education loan for the taxable year, but not to exceed the
22 maximum credit amount set forth in subsection (b) for the
23 taxpayer's highest level of education.

24 (b) The maximum credit amount shall be:

25 (1) \$6,000 per taxable year for a taxpayer with a

1 master's degree or higher;

2 (2) \$4,000 per taxable year for a taxpayer with a
3 bachelor's degree; or

4 (3) \$1,000 per taxable year for a taxpayer with an
5 associate's degree.

6 In no event shall a credit under this Section reduce the
7 taxpayer's liability to less than zero. If the amount of the
8 credit exceeds the tax liability for the year, the excess may
9 be carried forward and applied to the tax liability of the 5
10 taxable years following the excess credit year. The tax credit
11 shall be applied to the earliest year for which there is a tax
12 liability. If there are credits for more than one year that are
13 available to offset a liability, the earlier credit shall be
14 applied first.

15 (c) As used in this Section:

16 "Qualified education loan" has the meaning given to that
17 term in Section 221 of the Internal Revenue Code.

18 "Qualified taxpayer" means a taxpayer who (i) has an
19 Associate's degree, a Bachelor's degree, or a graduate degree
20 from an institution of higher education accredited by the U.S.
21 Department of Education; (ii) has annual student loan repayment
22 expenses; and (iii) is employed full-time in the State in one
23 or more of the following fields: life, natural, or
24 environmental sciences; computer, information, or software
25 technology; advanced mathematics or finance; engineering;
26 industrial design or other commercially related design field;

1 or medicine or medical device technology. For the purposes of
2 this Section, a taxpayer is employed full-time if the taxpayer
3 works in any of the listed fields at a rate of at least 35 hours
4 per week.

5 (d) The Department of Revenue may adopt rules to implement
6 this Section.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.".