



Rep. Sam Yingling

Filed: 10/23/2017

10000HB1128ham001

LRB100 03833 AXK 30212 a

1 AMENDMENT TO HOUSE BILL 1128

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1128 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Freedom of Information Act is amended by  
5 adding Section 7.6 as follows:

6 (5 ILCS 140/7.6 new)

7 Sec. 7.6. Natural disaster credit. Nothing in this Act  
8 prohibits the disclosure of information by officials of a  
9 county or municipality involving reports of damaged property or  
10 the owners of damaged property if that disclosure is made to a  
11 township or county assessment official in connection with the  
12 natural disaster credit under Section 226 of the Illinois  
13 Income Tax Act.

14 Section 10. The Illinois Income Tax Act is amended by  
15 adding Section 226 as follows:

1 (35 ILCS 5/226 new)

2 Sec. 226. Natural disaster credit.

3 (a) For taxable years that begin on or after January 1,  
4 2017 and begin prior to January 1, 2018, each taxpayer located  
5 in a county in Illinois that was declared a major disaster area  
6 in July of 2017 who (i) is the owner of homestead property, or  
7 a small business, or both, and (ii) has reported the property  
8 damage to the appropriate governing authority working in  
9 conjunction with the Illinois Emergency Management Agency or  
10 the Federal Emergency Management Agency, or has applied for  
11 disaster relief with the Federal Emergency Management Agency  
12 for that property as a result of that natural disaster, is  
13 entitled to a credit against the taxes imposed by subsections  
14 (a) and (b) of Section 201 of this Act in the amount of \$750. A  
15 taxpayer is not entitled to the credit under this Section if:  
16 (i) the taxpayer receives reimbursement from an insurance  
17 company for damage caused by the natural disaster; (ii) the  
18 property is reassessed under the Property Tax Code as a result  
19 of the natural disaster; or (iii) the taxpayer is in the  
20 business of renting or leasing properties. The taxpayer shall  
21 receive a certificate of exemption from the township assessor  
22 or, if the township assessor is unable to issue a certificate,  
23 the chief county assessment officer of the county in which the  
24 property is located.

25 (b) In no event shall a credit under this Section reduce a

1 taxpayer's liability to less than zero. If the amount of credit  
2 exceeds the tax liability for the year, the excess may be  
3 carried forward and applied to the tax liability for the 5  
4 taxable years following the excess credit year. The tax credit  
5 shall be applied to the earliest year for which there is a tax  
6 liability. If there are credits for more than one year that are  
7 available to offset liability, the earlier credit shall be  
8 applied first.

9 (c) As used in this Section:

10 (1) "Homestead property" has the meaning given to that  
11 term in Section 15-175 of the Property Tax Code.

12 (2) "Small business" has the meaning given to that term  
13 in Section 1-75 of the Illinois Administrative Procedure  
14 Act.

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law."