

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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:

16 (35 ILCS 5/226 new)

17 Sec. 226. Natural disaster credit.

18 (a) For taxable years that begin on or after January 1,
19 2017 and begin prior to January 1, 2018, each taxpayer who owns
20 qualified real property located in a county in Illinois that
21 was declared a major disaster area in July of 2017 is entitled

1 to a credit against the taxes imposed by subsections (a) and
2 (b) of Section 201 of this Act in an amount equal to the lesser
3 of \$750 or the loss realized with respect to qualified property
4 under Section 175 of the Internal Revenue Code. The taxpayer
5 shall receive a certificate of exemption from the township
6 assessor or, if the township assessor is unable to issue a
7 certificate, the chief county assessment officer of the county
8 in which the property is located. Property shall not be
9 considered damaged unless the taxpayer has reported the
10 property damage to the appropriate governing authority working
11 in conjunction with the Illinois Emergency Management Agency or
12 the Federal Emergency Management Agency, or has applied for
13 disaster relief with the Federal Emergency Management Agency
14 for that property as a result of that natural disaster.

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

24 (c) A partner or shareholder of a Subchapter S corporation
25 shall be allowed a credit under this Section, which shall be
26 determined in accordance with the determination of income and

1 distributive share of income under Sections 702 and 704, and
2 Subchapter S, of the Internal Revenue Code.

3 (d) A taxpayer is not entitled to the credit under this
4 Section if the property is reassessed under the Property Tax
5 Code as a result of the natural disaster.

6 (e) As used in this Section, "qualified real property"
7 means real property that is: (i) the taxpayer's principal
8 residence or owned by a small business; (ii) damaged during the
9 taxable year as a result of a declared disaster; and (iii) not
10 used in a rental or leasing business.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.