



Rep. Martin J. Moylan

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LRB100 11168 HLH 40211 a

1 AMENDMENT TO SENATE BILL 1437

2 AMENDMENT NO. _____. Amend Senate Bill 1437 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Income Tax Act is amended by
5 changing Section 204 as follows:

6 (35 ILCS 5/204) (from Ch. 120, par. 2-204)

7 Sec. 204. Standard exemption.

8 (a) Allowance of exemption. In computing net income under
9 this Act, there shall be allowed as an exemption the sum of the
10 amounts determined under subsections (b), (c) and (d),
11 multiplied by a fraction the numerator of which is the amount
12 of the taxpayer's base income allocable to this State for the
13 taxable year and the denominator of which is the taxpayer's
14 total base income for the taxable year.

15 (b) Basic amount. For the purpose of subsection (a) of this
16 Section, except as provided by subsection (a) of Section 205

1 and in this subsection, each taxpayer shall be allowed a basic
2 amount of \$1000, except that for corporations the basic amount
3 shall be zero for tax years ending on or after December 31,
4 2003, and for individuals the basic amount shall be:

5 (1) for taxable years ending on or after December 31,
6 1998 and prior to December 31, 1999, \$1,300;

7 (2) for taxable years ending on or after December 31,
8 1999 and prior to December 31, 2000, \$1,650;

9 (3) for taxable years ending on or after December 31,
10 2000 and prior to December 31, 2012, \$2,000;

11 (4) for taxable years ending on or after December 31,
12 2012 and prior to December 31, 2013, \$2,050;

13 (5) for taxable years ending on or after December 31,
14 2013 and on or before December 31, 2023, \$2,050 plus the
15 cost-of-living adjustment under subsection (d-5).

16 For taxable years ending on or after December 31, 1992, a
17 taxpayer whose Illinois base income exceeds the basic amount
18 and who is claimed as a dependent on another person's tax
19 return under the Internal Revenue Code shall not be allowed any
20 basic amount under this subsection.

21 (c) Additional amount for individuals. In the case of an
22 individual taxpayer, there shall be allowed for the purpose of
23 subsection (a), in addition to the basic amount provided by
24 subsection (b), an additional exemption equal to the basic
25 amount for each exemption in excess of one allowable to such
26 individual taxpayer for the taxable year under Section 151 of

1 the Internal Revenue Code.

2 (d) Additional exemptions for an individual taxpayer and
3 his or her spouse. In the case of an individual taxpayer and
4 his or her spouse, he or she shall each be allowed additional
5 exemptions as follows:

6 (1) Additional exemption for taxpayer or spouse 65
7 years of age or older.

8 (A) For taxpayer. An additional exemption of
9 \$1,000 for the taxpayer if he or she has attained the
10 age of 65 before the end of the taxable year.

11 (B) For spouse when a joint return is not filed. An
12 additional exemption of \$1,000 for the spouse of the
13 taxpayer if a joint return is not made by the taxpayer
14 and his spouse, and if the spouse has attained the age
15 of 65 before the end of such taxable year, and, for the
16 calendar year in which the taxable year of the taxpayer
17 begins, has no gross income and is not the dependent of
18 another taxpayer.

19 (2) Additional exemption for blindness of taxpayer or
20 spouse.

21 (A) For taxpayer. An additional exemption of
22 \$1,000 for the taxpayer if he or she is blind at the
23 end of the taxable year.

24 (B) For spouse when a joint return is not filed. An
25 additional exemption of \$1,000 for the spouse of the
26 taxpayer if a separate return is made by the taxpayer,

1 and if the spouse is blind and, for the calendar year
2 in which the taxable year of the taxpayer begins, has
3 no gross income and is not the dependent of another
4 taxpayer. For purposes of this paragraph, the
5 determination of whether the spouse is blind shall be
6 made as of the end of the taxable year of the taxpayer;
7 except that if the spouse dies during such taxable year
8 such determination shall be made as of the time of such
9 death.

10 (C) Blindness defined. For purposes of this
11 subsection, an individual is blind only if his or her
12 central visual acuity does not exceed 20/200 in the
13 better eye with correcting lenses, or if his or her
14 visual acuity is greater than 20/200 but is accompanied
15 by a limitation in the fields of vision such that the
16 widest diameter of the visual fields subtends an angle
17 no greater than 20 degrees.

18 (d-5) Cost-of-living adjustment. For purposes of item (5)
19 of subsection (b), the cost-of-living adjustment for any
20 calendar year and for taxable years ending prior to the end of
21 the subsequent calendar year is equal to \$2,050 times the
22 percentage (if any) by which:

23 (1) the Consumer Price Index for the preceding calendar
24 year, exceeds

25 (2) the Consumer Price Index for the calendar year
26 2011.

1 The Consumer Price Index for any calendar year is the
2 average of the Consumer Price Index as of the close of the
3 12-month period ending on August 31 of that calendar year.

4 The term "Consumer Price Index" means the last Consumer
5 Price Index for All Urban Consumers published by the United
6 States Department of Labor or any successor agency.

7 If any cost-of-living adjustment is not a multiple of \$25,
8 that adjustment shall be rounded to the next lowest multiple of
9 \$25.

10 (e) Cross reference. See Article 3 for the manner of
11 determining base income allocable to this State.

12 (f) Application of Section 250. Section 250 does not apply
13 to the amendments to this Section made by Public Act 90-613.

14 (g) Notwithstanding any other provision of law, for taxable
15 years beginning on or after January 1, 2017, no taxpayer may
16 claim an exemption under this Section if the taxpayer's
17 adjusted gross income for the taxable year exceeds (i)
18 \$500,000, in the case of spouses filing a joint federal tax
19 return or (ii) \$250,000, in the case of all other taxpayers.

20 (Source: P.A. 100-22, eff. 7-6-17.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law."