

HB4629



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4629

Introduced 2/5/2020, by Rep. Sonya M. Harper

SYNOPSIS AS INTRODUCED:

35 ILCS 5/232 new

Amends the Illinois Income Tax Act. Creates an income tax credit for taxpayers who (i) are engaged in business as a healthy food retailer and (ii) during the taxable year, first locate a healthy food retail establishment in an area designated by the Department of Agriculture as a food desert. Effective immediately.

LRB101 17870 HLH 67305 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

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

4 Section 5. The Illinois Income Tax Act is amended by adding
5 Section 232 as follows:

6 (35 ILCS 5/232 new)

7 Sec. 232. Credit for healthy food retailers.

8 (a) For taxable years ending on or after December 31, 2020,
9 each taxpayer who (i) is engaged in business as a healthy food
10 retailer and (ii) during the taxable year, first locates a
11 healthy food retail establishment in an area designated by the
12 Department of Agriculture as a food desert is entitled to a
13 credit against the taxes imposed by subsections (a) and (b) of
14 Section 201. The credit shall be in an amount equal to: (i) 15%
15 of the taxpayer's liability under this Act, calculated without
16 regard to the credit under this Section, for newly constructed
17 stores; or (ii) 10% of the taxpayer's liability under this Act,
18 calculated without regard to the credit under this Section, for
19 remodeled or rehabilitated stores.

20 (b) For partners, shareholders of subchapter S
21 corporations, and owners of limited liability companies, if the
22 liability company is treated as a partnership for purposes of
23 federal and State income taxation, there shall be allowed a

1 credit under this Section to be determined in accordance with
2 the determination of income and distributive share of income
3 under Sections 702 and 704 and subchapter S of the Internal
4 Revenue Code.

5 (c) As used in this Section:

6 "Healthy food retailer" means a person that owns and
7 operates a healthy food retail establishment.

8 "Healthy food retail establishment" means a grocery
9 store or other business that sells food at retail for human
10 consumption that is to be consumed off the premises where
11 it is sold where at least 35% of the establishment's food
12 inventory, by cost value, consists of fresh produce,
13 poultry, dairy, and deli items.

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