

# HB5584



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

**HB5584**

by Rep. Elizabeth Hernandez

#### SYNOPSIS AS INTRODUCED:

New Act  
110 ILCS 947/67

Creates the Wire Transfer Tax Act. Provides that a tax of 1% of the amount transferred is imposed on each wire transfer originating from within the State. Provides that the moneys received from the tax shall be deposited into the Illinois DREAM Fund. Amends the Higher Education Student Assistance Act to make conforming changes.

LRB101 16241 HLH 65614 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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 1. Short title. This Act may be cited as the Wire  
5 Transfer Tax Act.

6 Section 5. Definitions. As used in this Act, the following  
7 terms have the following meanings:

8 "Amount transferred" means the total amount deposited into  
9 the receiving account or accounts, without regard to any fees,  
10 taxes, or charges imposed by the State, the federal government,  
11 or any financial institution.

12 "Department" means the Department of Revenue.

13 Section 10. Tax imposed. Beginning on January 1, 2021, a  
14 tax of 1% of the amount transferred is imposed on each wire  
15 transfer originating from within the State. The tax shall be  
16 collected and remitted to the Department by the financial  
17 institution that facilitates the wire transfer. The tax imposed  
18 by this Act is not imposed with respect to any transaction that  
19 may not, under the Constitution and statutes of the United  
20 States, be made the subject of taxation by the State.

21 Section 15. Returns. On or before the twentieth day of each

1 calendar month, each financial institution that is liable for  
2 collecting and remitting the tax under this Act during the  
3 preceding calendar month shall file a return with the  
4 Department stating:

5 (1) the name of the financial institution;

6 (2) the address of its principal place of business;

7 (3) the total amount transferred by that financial  
8 institution in the previous calendar month;

9 (4) the total amount collected by the financial  
10 institution from the tax imposed under this Act; and

11 (5) such other reasonable information as the  
12 Department may require.

13 All of the provisions of Sections 4, 5a, 5b, 5c, 5d, 5e,  
14 5f, 5g, 5i and 5j of the Retailers' Occupation Tax Act that are  
15 not inconsistent with this Act shall apply, as far as  
16 practicable, to the subject matter of this Act to the same  
17 extent as if such provisions were included in this Act.  
18 References in those incorporated Sections to retailers, to  
19 sellers, or to persons engaged in the business of selling  
20 tangible personal property shall mean financial institutions  
21 when used in this Act.

22 Section 20. Proceeds deposited into the DREAM Fund. All of  
23 the moneys received from the tax imposed under this Act shall  
24 be deposited into the Illinois DREAM Fund established under  
25 Section 67 of the Higher Education Student Assistance Act.

1 Section 25. Rulemaking. The Department may adopt rules for  
2 the implementation and enforcement of this Act.

3 Section 900. The Higher Education Student Assistance Act is  
4 amended by changing Section 67 as follows:

5 (110 ILCS 947/67)

6 Sec. 67. Illinois DREAM Fund Commission.

7 (a) The Illinois Student Assistance Commission shall  
8 establish an Illinois DREAM Fund Commission. The Governor shall  
9 appoint, with the advice and consent of the Senate, members to  
10 the Illinois DREAM Fund Commission, which shall be comprised of  
11 9 members representing the geographic and ethnic diversity of  
12 this State, including students, college and university  
13 administrators and faculty, and other individuals committed to  
14 advancing the educational opportunities of the children of  
15 immigrants.

16 (b) The Illinois DREAM Fund Commission is charged with all  
17 of the following responsibilities:

18 (1) Administering this Section and raising funds for  
19 the Illinois DREAM Fund.

20 (2) Establishing a not-for-profit entity charged with  
21 raising funds for the administration of this Section, any  
22 educational or training programs the Commission is tasked  
23 with administering, and funding scholarships to students

1 who are the children of immigrants to the United States.

2 (3) Publicizing the availability of scholarships from  
3 the Illinois DREAM Fund.

4 (4) Selecting the recipients of scholarships funded  
5 through the Illinois DREAM Fund.

6 (5) Researching issues pertaining to the availability  
7 of assistance with the costs of higher education for the  
8 children of immigrants and other issues regarding access  
9 for and the performance of the children of immigrants  
10 within higher education.

11 (6) Overseeing implementation of the other provisions  
12 of this amendatory Act of the 97th General Assembly.

13 (7) Establishing and administering training programs  
14 for high school counselors and counselors, admissions  
15 officers, and financial aid officers of public  
16 institutions of higher education. The training programs  
17 shall instruct participants on the educational  
18 opportunities available to college-bound students who are  
19 the children of immigrants, including, but not limited to,  
20 in-state tuition and scholarship programs. The Illinois  
21 DREAM Fund Commission may also establish a public awareness  
22 campaign regarding educational opportunities available to  
23 college bound students who are the children of immigrants.

24 The Illinois DREAM Fund Commission shall establish, by  
25 rule, procedures for accepting and evaluating applications for  
26 scholarships from the children of immigrants and issuing

1 scholarships to selected student applicants.

2 (c) To receive a scholarship under this Section, a student  
3 must meet all of the following qualifications:

4 (1) Have resided with his or her parents or guardian  
5 while attending a public or private high school in this  
6 State.

7 (2) Have graduated from a public or private high school  
8 or received the equivalent of a high school diploma in this  
9 State.

10 (3) Have attended school in this State for at least 3  
11 years as of the date he or she graduated from high school  
12 or received the equivalent of a high school diploma.

13 (4) Have at least one parent who immigrated to the  
14 United States.

15 (d) The Illinois Student Assistance Commission shall  
16 establish an Illinois DREAM Fund to provide scholarships under  
17 this Section. The Illinois DREAM Fund shall be funded entirely  
18 from private contributions and from the tax imposed under the  
19 Wire Transfer Tax Act.

20 (Source: P.A. 97-233, eff. 8-1-11.)