

1 AN ACT concerning taxes.

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
5 adding Section 213 as follows:

6 (35 ILCS 5/213 new)

7 Sec. 213. Assistive technology devices tax credit.

8 (a) Beginning with taxable years ending on or after
9 December 31, 2003, each taxpayer that is a small business is
10 entitled to a credit against the tax imposed by subsections
11 (a) and (b) of Section 201 in the amount of 50% of the amount
12 spent by the taxpayer in the taxable year, up to a maximum
13 credit of \$2,500 in the taxable year, for modifications to or
14 the purchase of assistive technology devices for people with
15 disabilities to improve their functional capabilities on the
16 job. The Department shall establish by rule those expenses
17 that are eligible for the credit under this Section. The tax
18 credit may not reduce the taxpayer's liability to less than
19 zero. This Section is exempt from the provisions of Section
20 250 of this Act.

21 (b) If the amount of the credit exceeds the tax
22 liability for the year, the excess may be carried forward and
23 applied to the tax liability of the 5 taxable years following
24 the excess credit year. The credit shall be applied to the
25 earliest year for which there is a tax liability. If there
26 are credits from more than one tax year that are available to
27 offset a liability, the earlier credit shall be applied
28 first.

29 (c) In this Section:

30 "Small business" means a business that (i) has 14
31 employees or less and (ii) has a gross income, for federal

1 income tax purposes, of \$3,000,000 or less in the taxable
2 year.

3 "Assistive technology device" means any item, piece of
4 equipment, or product system, whether acquired commercially,
5 off the shelf, modified, or customized, that is used to
6 increase, maintain, or improve functional capabilities of
7 people with disabilities.

8 "People with disabilities" includes any person who has a
9 physical or mental impairment that substantially limits one
10 or more of the major life activities of the individual; who
11 has a record of such an impairment; or who is regarded as
12 having such an impairment.

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