



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/09/04, by William B. Black - Sidney H. Mathias

SYNOPSIS AS INTRODUCED:

35 ILCS 5/216 new

Amends the Illinois Income Tax Act. Grants a credit against the tax imposed by the Act in the amount of expenditures during the taxable year for the care of an individual 65 years of age or older who is claimed as a dependent on the taxpayer's federal income tax return. Provides that the amount of the credit for the taxable year may be no more than \$1,000 or the taxpayer's tax liability for the year, whichever is less. Allows an excess credit to be carried forward to the tax liability of 2 succeeding taxable years. Exempts the credit from the Act's sunset requirement. Effective immediately.

LRB093 18324 SJM 44030 b

FISCAL NOTE ACT
MAY APPLY

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 adding
5 Section 216 as follows:

6 (35 ILCS 5/216 new)

7 Sec. 216. Eldercare tax credit. For taxable years ending
8 on or after December 31, 2004, an individual taxpayer is
9 entitled to a credit against the taxes imposed by subsections
10 (a) and (b) of Section 201 in an amount equal to the amount of
11 expenditures during the taxable year for the care of an
12 individual 65 years of age or older who is claimed as a
13 dependent on the taxpayer's federal income tax return. The
14 amount of the credit for the taxable year may be no more than
15 \$1,000 or the taxpayer's tax liability for the year, whichever
16 is less. If the amount of the credit exceeds the tax liability
17 for the year, then the excess may be carried forward and
18 applied to the tax liability of the 2 taxable years following
19 the excess credit year. A credit shall be applied to the
20 earliest year for which there is a tax liability. If there are
21 credits from more than one taxable year that are available to
22 offset a liability, then the earlier credit shall be applied
23 first. This Section is exempt from the provisions of Section
24 250.

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.