



Sen. Don Harmon

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1 AMENDMENT TO SENATE BILL 3723

2 AMENDMENT NO. _____. Amend Senate Bill 3723 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Income Tax Act is amended by
5 adding Section 223 as follows:

6 (35 ILCS 5/223 new)

7 Sec. 223. Green energy credit.

8 (a) For tax years beginning on or after January 1, 2013,
9 each taxpayer who, individually or through a municipal
10 aggregation program, makes a purchase of (i) green energy, (ii)
11 a renewable energy credit, or (iii) a carbon offset through an
12 alternative retail electric supplier or an alternative gas
13 supplier, as defined by the Public Utilities Act, during the
14 taxable year is entitled to a credit against the taxes imposed
15 under subsections (a) and (b) of Section 201 of this Act as
16 provided in this Section. If the taxpayer is a purchaser of

1 Illinois-based green energy, then the credit shall be in an
2 amount equal to 5% of the amount expended on the purchase
3 during the taxable year. If the taxpayer is a purchaser of
4 green energy from a source outside of Illinois, then the credit
5 shall be in an amount equal to 3% of the amount expended on the
6 purchase.

7 (b) Any alternative retail electric supplier that provides
8 offers that are eligible for this credit must provide a
9 verifiable disclosure statement to the green energy customer.
10 For electricity, the quantity and source of green energy shall
11 be independently verified through the PJM Environmental
12 Information System Generation Attribute Tracking System
13 (PJM-GATS) or the Midwest Renewable Energy Tracking System
14 (M-RETS), which shall document the location of generation,
15 resource type, month, and year of generation for all qualifying
16 renewable energy resources that an alternative retail electric
17 supplier uses to comply with this Section. Any alternative gas
18 supplier that provides offers for the credit must provide a
19 verifiable disclosure statement to the green energy customer.
20 For natural gas, the quantity of natural gas sourced shall be
21 verified by disclosure of the location of the landfill gas
22 source, or, when using carbon offsets, the offsets must be
23 verified by the Chicago Climate Exchange or a Chicago Climate
24 Exchange approved verifier, including, but not limited to, the
25 University of Illinois IlliniCarbon Project.

26 (c) The tax credit may not reduce the taxpayer's liability

1 to less than zero and may not be carried forward to future
2 taxable years.

3 (d) As used in this Section:

4 "Green energy" has the same definition as "renewable energy
5 resources" in Section 1-10 of the Illinois Power Agency Act.

6 "Illinois-based green energy" means green energy that is
7 produced solely within the State of Illinois.

8 "Renewable energy credit" has the same definition as found
9 in Section 1-10 of the Illinois Power Agency Act.

10 "Carbon offset" means a verifiable certificate
11 representing a reduction of one metric ton of carbon dioxide
12 and other greenhouse gasses.

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