

Illinois Angel Investment Tax Credit Program

Presented by: Jason Anderson, Program Manager



Illinois
Department of Commerce
& Economic Opportunity

JB Pritzker, Governor

Angel Investment Tax Credit Program



Tax incentive program which encourages investments in innovative, early-stage, technology-focused companies by providing their investors with a state tax credit.



Website: bit.ly/ilangeltax (case-sensitive)



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What would constitute a qualifying investment?



Investment cannot be less than \$10,000

Investment cannot be more than \$2,000,000



Set-Asides

\$2,500,000

Minority-Owned Businesses*

\$1,250,000

Woman-Owned, Person with a Disability-Owned Businesses*

\$1,250,000

Rural Businesses**

*as defined in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act - <https://bit.ly/2EGTixs>

**principal place of business in a county with population not more than 250,000

This includes all counties aside from Cook, DuPage, Lake, Will, Kane, McHenry, Winnebago, St. Clair and Madison.



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New for 2024

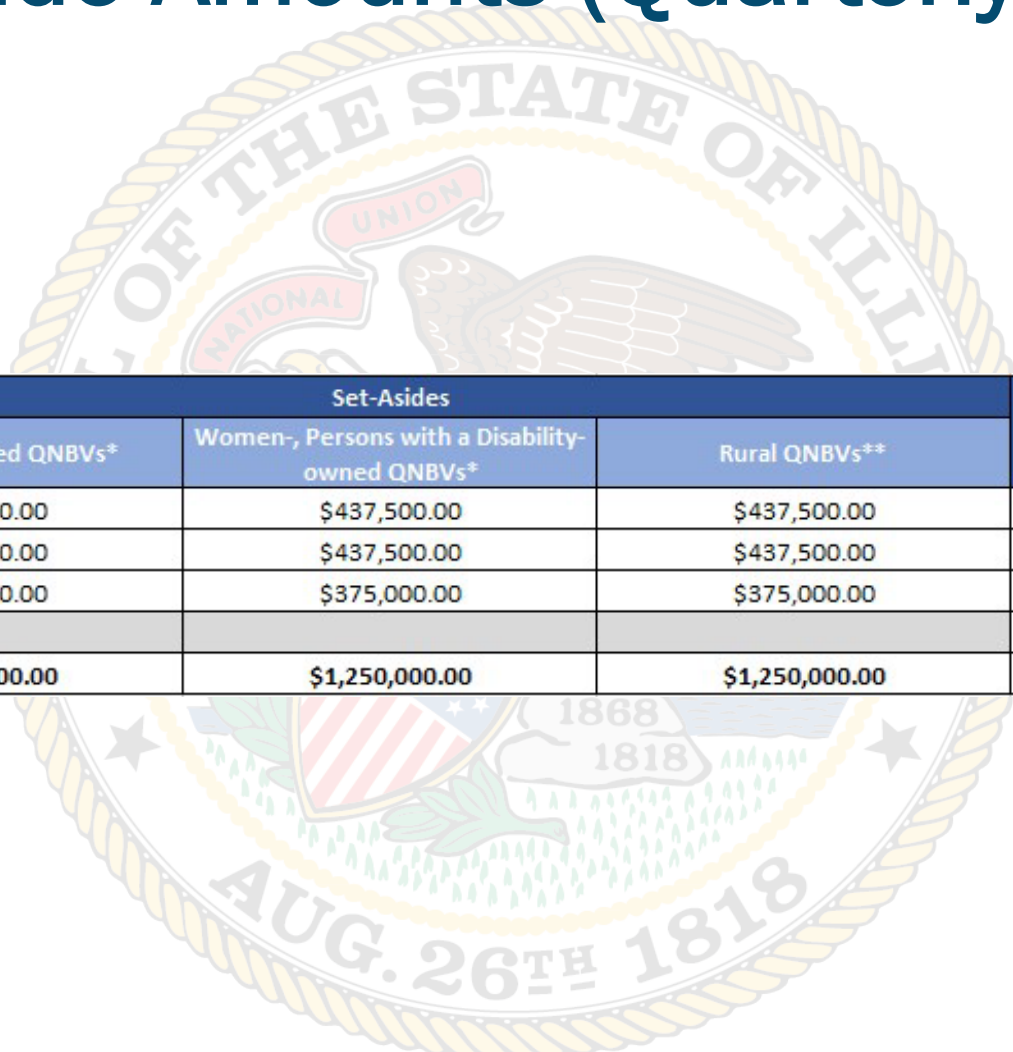
Investments in set-aside businesses will yield a 35% tax credit.

All other investments will yield a 25% tax credit.

2024



2024 Set-Aside Amounts (Quarterly)



	Dates		Set-Asides			All Other QNBVs	Total
			Minority-Owned QNBVs*	Women-, Persons with a Disability-owned QNBVs*	Rural QNBVs**		
Q1	1/1/2024	3/31/2024	\$875,000.00	\$437,500.00	\$437,500.00	\$3,500,000.00	\$5,250,000.00
Q2	4/1/2024	6/30/2024	\$875,000.00	\$437,500.00	\$437,500.00	\$3,500,000.00	\$5,250,000.00
Q3	7/1/2024	9/30/2024	\$750,000.00	\$375,000.00	\$375,000.00	\$1,650,000.00	\$3,150,000.00
Q4	10/1/2024	12/31/2024				\$1,350,000.00	\$1,350,000.00
			\$2,500,000.00	\$1,250,000.00	\$1,250,000.00	\$10,000,000.00	\$15,000,000.00



Qualified New Business Venture (QNBV) Information



All business, once accepted into the program, are called Qualified New Business Ventures.



Program Enrollment

Business must apply to be certified as a Qualified New Business Venture (QNBV) through the online application form.

In order for an investor to claim tax credits, the business must first be approved as a QNBV, the investments must be made on or after the QNBV certification date, and the investment must meet all eligibility requirements.

Calendar Year 2024 Application Documents

- [QNBV Application](#) (*application for businesses to be part of the program*)
- [Investor Claimant Application](#) (*application for investors to apply for tax credits following an investment into an eligible QNBV*)

(If applying as an investor using a trust as an investor's financial vehicle, your application must include the trust identification and disclosure form found at the bottom of this page)

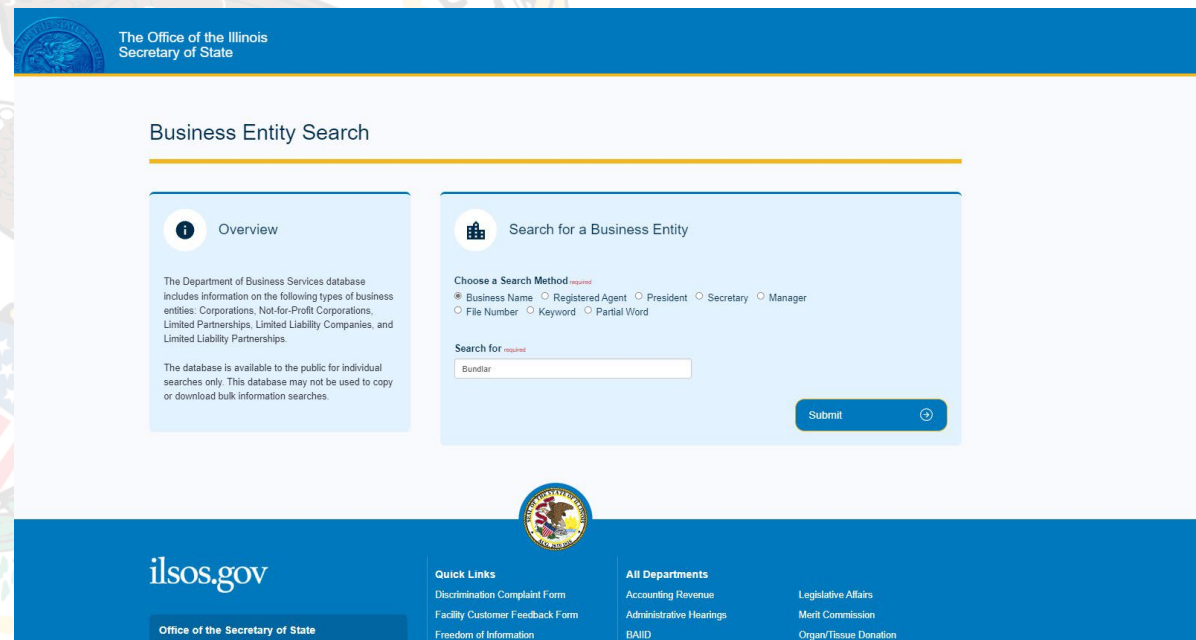
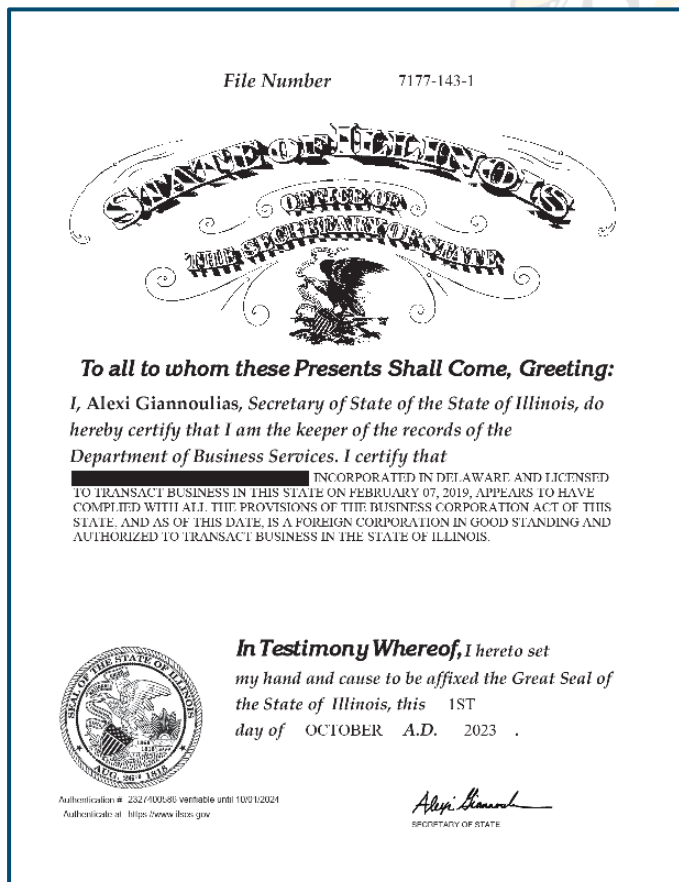
Calendar Year 2024 Reporting Documents

- [QNBV Annual Report](#)
- [Investor Claimant Annual Attestation of Investment](#)



Documents Needed for QNBV Application

1. A copy (left) or a screenshot (right) of a current and active Illinois Secretary of State Certificate of Good Standing. A link to obtain the certificate is included on the QNBV Application form.



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Documents Needed for QNBV Application

[ENTER BUSINESS NAME HERE]		
Shareholder (Founder, employee, investor, etc.)	% Ownership	Total Amount Invested To Date
[ENTER SHAREHOLDER NAME HERE]	[ENTER % OWNERSHIP HERE]	[ENTER TOTAL AMOUNT INVESTED BY SHAREHOLDER]
	0.00%	\$0.00
	^This will need to equal 100%	^This will need to equal your entry for total aggregate investments to date in the application

2. A current capitalization table.

NOTE: If the cap table does not clearly reflect the dollar amount invested by each investor and provide a total equaling the application’s *Total Aggregate Investments Received to Date* field, the application review may be delayed.

Applicants must use the template provided.



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Documents Needed for QNBV Application

- If the business qualifies as a minority-owned, woman-owned, or person with a disability-owned business (as those terms are used and defined in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act), documentation attesting to this status.

This could include, but is not limited to, any of the following:

- Passport
- State ID
- Driver's License
- Any certifications obtained

**OFFICE OF THE SECRETARY OF STATE
DRIVER SERVICES DEPARTMENT**

Medical Report for Conditions That May Impair Driving Safety

Please see guidelines at [Illinois.gov/SecretaryofState/DriverServices](#) for completion of form.

SECTION I — To be completed by driver. (Please print or type.)

Name: Last First Middle Driver's License Number: _____
 Street Address: _____ Date of Birth: _____ Sex: Male Female
 City: _____ ZIP: _____

Agreement/Release of Information
 I agree to remain under the care of my physician and follow the treatment exactly as prescribed. I hereby authorize and request my physician to submit information regarding my medical condition to the Illinois Secretary of State, and to request any change in the status of my condition that would impact my ability to safely operate a motor vehicle. I understand that Illinois is made up of four conditions set forth in this agreement will be grounds for the Secretary of State to deny or cancel my driving privileges. **THIS REPORT IS VALID FOR THREE MONTHS ONLY.**

Signature of Individual: _____ Date of Signature: _____

SECTION II MEDICAL HEALTH — To be completed by MD/DO and/or medical professional (M/D/O).

DATE OF COMPLETION OF MEDICAL HEALTH SECTION IS: _____

1. **Qualifies to pass professional opinion, to this individual MEDICALLY AND PHYSICALLY FIT TO SAFELY OPERATE a motor vehicle?** YES NO

2. **Conditions: Has or has not required for each condition listed.**

(a) Cardiovascular	YES <input type="checkbox"/> NO <input type="checkbox"/>	(provide condition)
(b) Diabetes	YES <input type="checkbox"/> NO <input type="checkbox"/>	(provide condition)
(c) Epilepsy/Seizures	YES <input type="checkbox"/> NO <input type="checkbox"/>	(provide condition)
(d) Hypertension	YES <input type="checkbox"/> NO <input type="checkbox"/>	(provide condition)
(e) Stroke	YES <input type="checkbox"/> NO <input type="checkbox"/>	(provide condition)
(f) Sleep/Airway Issues	YES <input type="checkbox"/> NO <input type="checkbox"/>	(provide condition)
(g) Alcohol/Drug Abuse	YES <input type="checkbox"/> NO <input type="checkbox"/>	(provide condition)
(h) Developmental	YES <input type="checkbox"/> NO <input type="checkbox"/>	(provide condition)
(i) Mental	YES <input type="checkbox"/> NO <input type="checkbox"/>	(provide condition)
(j) Other (condition(s))	YES <input type="checkbox"/> NO <input type="checkbox"/>	(provide condition)

3. **LIST All current medications and dosages (including medications prescribed by another physician). If medications are listed, a condition must be disclosed above (in question #2).**

(a) Does the patient have side effects from any medication(s) that would impair their ability to safely operate a motor vehicle?
 YES Explain: _____ NO

(b) Do the other complaints with medication and treatment repeat? YES NO Explain: _____

(c) No medications prescribed. (continued on back)

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Eligibility Requirements for Businesses (to be certified QNBVs)



1. Principal place of business must be in Illinois.



Eligibility Requirements for Businesses

2. Must have the potential for increasing jobs in Illinois, increasing capital investment in Illinois, or both.



Eligibility Requirements for Businesses



3. At least 51% of the employees (employed by the business) are employed in Illinois.

An employee is defined as any founder, FTE or FTE equivalent.



Eligibility Requirements for Businesses



4. Must be principally engaged in innovation in a qualifying sector as defined in the statute OR undertaking pre-commercialization activity related to proprietary technology that includes one of the following:

- Conducting research
- Developing a new product or business process
- Developing a service that is principally reliant on applying proprietary technology



Eligibility Requirements for Businesses



5. Must not be principally engaged in a disqualifying sector as defined by statute (outlined on the next slide).



Eligibility Requirements for Businesses

Qualifying sectors for innovation:

- Manufacturing
- Biotechnology
- Nanotechnology
- Communications
- Agricultural sciences
- Clean energy creation or storage technology
- Processing or assembling products including any of the following:
 - Medical devices
 - Pharmaceuticals
 - Computer Software
 - Computer Hardware
 - Semiconductors
 - Other innovative technology products
 - Products that are produced using manufacturing methods that are enabled by applying proprietary technology
- Providing services that are enabled by applying proprietary technology

Disqualifying sectors for innovation:

- Real estate development
- Insurance
- Banking
- Lending
- Lobbying
- Political consulting
- Professional services provided by:
 - Attorneys
 - Accountants
 - Business consultants
 - Physicians
 - Health care consultants
- Wholesale or retail trade
- Leisure
- Hospitality
- Transportation
- Construction (except construction of power production plants that derive energy from a renewable energy resource as defined in Section 1 of the Illinois Power Agency Act)



Eligibility Requirements for Businesses



6. Must have fewer than 100 employees.



Eligibility Requirements for Businesses



7. Must have been in operation in Illinois for less than 10 consecutive years.



Eligibility Requirements for Businesses



8. Has received not more than \$10,000,000 in aggregate investments.



Eligibility Requirements for Businesses



9. Must agree to maintain a minimum employment threshold (at least 51% of the business's employee positions in Illinois and at least 75% of the business's employee positions created following a receipt of an investment located in Illinois) for three years from the date of the last tax credit certificate issued for an investment into the business.



Eligibility Requirements for Businesses



10. Must have received not more than \$4,000,000 in investments that qualified for Angel tax credits.



Applying for QNBV Certification

A business is given a determination within 2 weeks (10 business days). Every two weeks a committee meets, via the schedule posted on the program website, to approve QNBVs.

Top Causes for Delay:	Capitalization table that does not clearly and directly reflect the dollar amount invested by each investor and a total equaling the entry for Total Aggregate Investments Received to Date entered in the application form itself.
If Approved:	The applicant will receive an email stating the business has been approved as a QNBV and the email will include an attached QNBV certificate which should be shared with their investors.
If Denied:	The applicant will receive an email stating the business has been denied and will provide reasoning for such determination. If the applicant would like to appeal the determination, they can do so by following the instructions provided in the denial email.

There is no renewal process for QNBVs. Each calendar year is its own program.



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QNBV Report

Each business certified as a QNBV which receives an investment leading to the issuance of a tax credit certificate needs to submit a QNBV Annual Report to Illinois Department of Commerce and Economic Opportunity for each of the 3 years following the last tax credit certificate issued.

If no tax credit certificates are issued to investors for investments in a QNBV, the annual report is not required.

The report can be found on the website (shown below)

Calendar Year 2024 Application Documents

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(If applying as an investor using a trust as an investor's financial vehicle, your application must include the trust identification and disclosure form found at the bottom of this page)

Calendar Year 2024 Reporting Documents

- [QNBV Annual Report](#)
- [Investor Claimant Annual Attestation of Investment](#)



QNBV Report

The report asks questions about terms of any liquidity event, number of employees, average employee salary, and capital raised.

Reporting Period Start Date	Reporting Period End Date	Report Number	Due Date
QNBV Certification Date (2024)	12/31/2025	1 st Report	1/31/2026
1/1/2026	12/31/2026	2 nd Report	1/31/2027
1/1/2027	12/31/2027	3 rd Report	1/31/2028

THIS REPORT IS ONLY NECESSARY IF A QNBV HAS RECEIVED AN INVESTMENT LEADING TO THE ISSUANCE OF A TAX CREDIT CERTIFICATE.



Claimant/Investor Information



Claimant Application (3 Documents Filed by Investor)

1. The complete and executed legal document detailing the investment.
2. **Proof funds were transferred AND received** by the business.
Acceptable documentation may include front and back of check or incoming wire documentation from the QNBV.
Proof for both transferred and received funds must include dates. “Pending” will not be accepted.
3. The complete application form.

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Eligibility Requirements for Investors

Eligible applicants are any of the following who has made an investment in a QNBV and has a direct or indirect ownership interest of LESS THAN 51% in the profits, capital, or value of the QNBV receiving the investment and is NOT a “related member”:

Corporation
Partnership
Limited Liability Company
Natural person

Ineligible applicants are as follows:

- Any investor who has a direct or indirect ownership interest of 51% OR MORE in the profits, capital, or value of the QNBV receiving the investment.
- A “related member”



Eligibility Requirements for Investors

“Related Member”

Individual

An individual, if the individual and the members of the individual’s family (as defined in Section 318 of the Internal Revenue Code) own directly, indirectly, beneficially, or constructively in the aggregate, at least 50% of the value of the outstanding profits, capital, stock, or other ownership interest in the QNBV that is the recipient of the applicant’s investment.

The Internal Revenue Code defines members of family as follows:

A spouse (other than a spouse who is legally separated from the individual under a decree of divorce or separate maintenance), and

Children, grandchildren and parents.

(A legally adopted child of an individual shall be treated as a child of such individual by blood.)

Partnership, Estate, or Trust

A partnership, estate, or trust and any partner or beneficiary, if the partnership, estate, or trust and its partners or beneficiaries own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the profits, capital, stock, or other ownership interest in the QNBV that is the recipient of the applicant’s investment.



Eligibility Requirements for Investors

“Related Member”

Corporation

A corporation and any party related to the corporation in a manner that would require an attribution of stock from the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the applicant and any other related member own, in the aggregate, directly, indirectly, beneficially, or constructively, at least 50% of the value of the outstanding stock of the QNBV that is the recipient of the applicant’s investment.

The Internal Revenue Code notes attribution from corporations as follows:

If 50 percent or more in value of the stock in a corporation is owned, directly or indirectly, by or for any person, such person shall be considered as owning the stock owned, directly or indirectly, by or for such corporation, in that proportion which the value of the stock which such person so owns bears to the value of all the stock in such corporation.

A corporation and any party related to that corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the corporation and all such related parties own, in the aggregate, at least 50% of the profits, capital, stock or other ownership interest in the QNBV that is the recipient of the applicant’s investment.

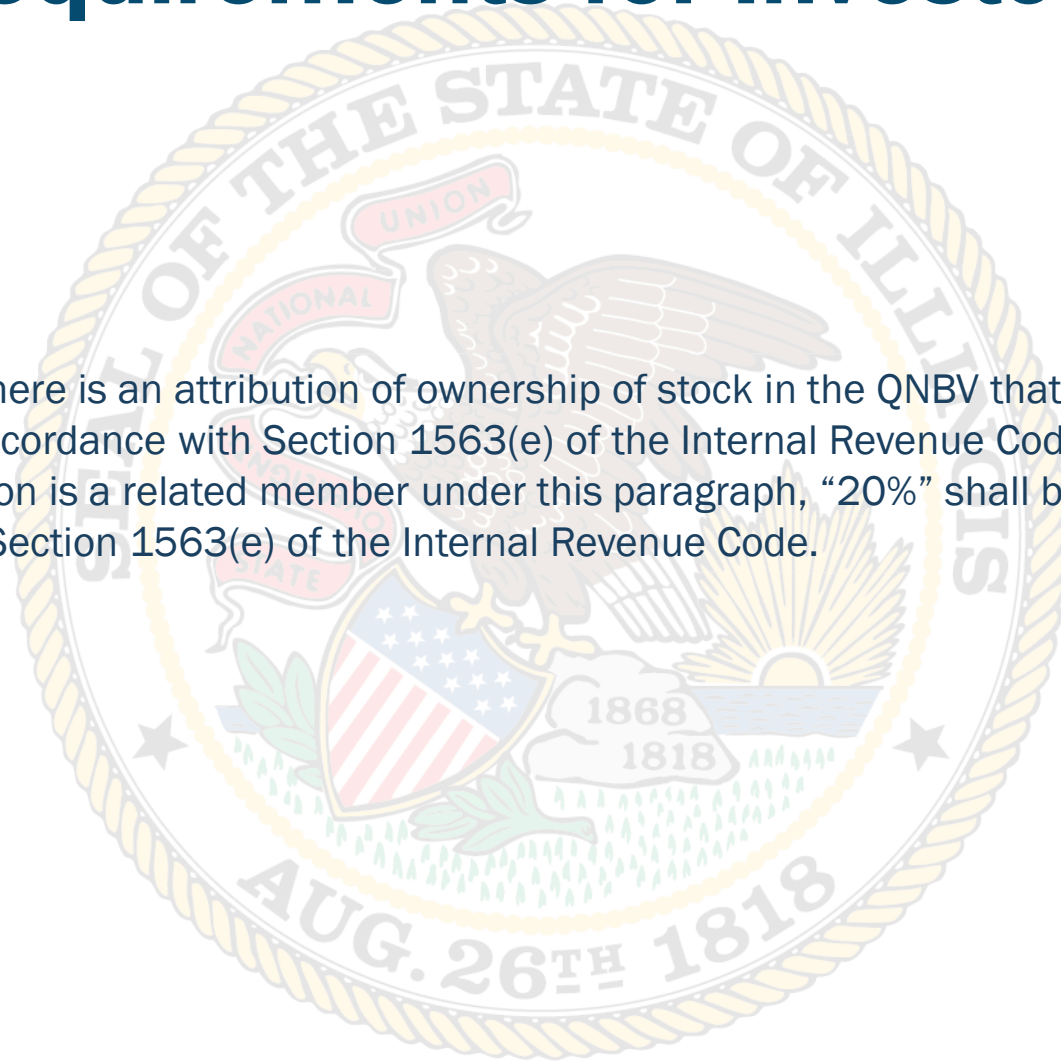


Eligibility Requirements for Investors

“Related Member”

Person

A person to or from whom there is an attribution of ownership of stock in the QNBV that is the recipient of the applicant’s investment in accordance with Section 1563(e) of the Internal Revenue Code, except that for purposes of determining whether a person is a related member under this paragraph, “20%” shall be substituted for “5%” whenever “5%” appears in Section 1563(e) of the Internal Revenue Code.

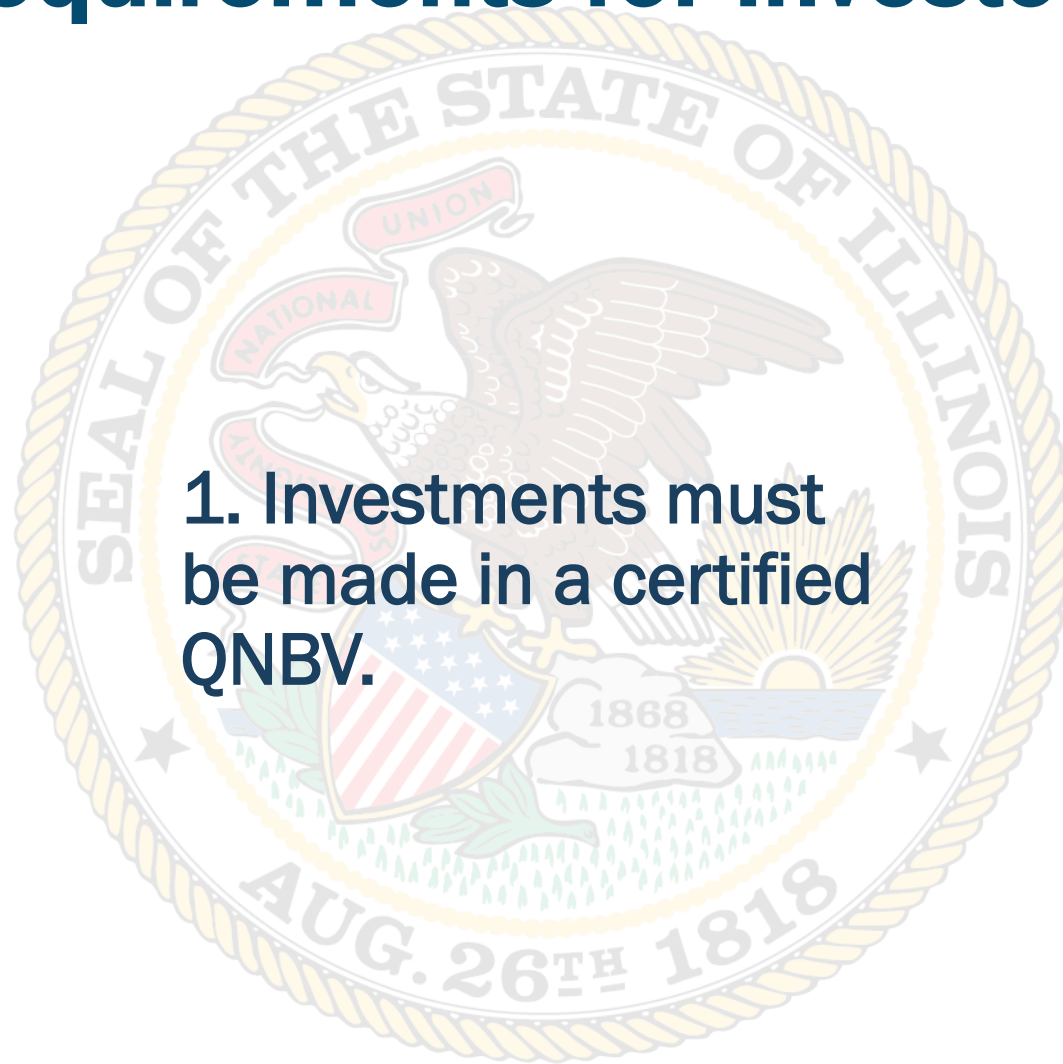




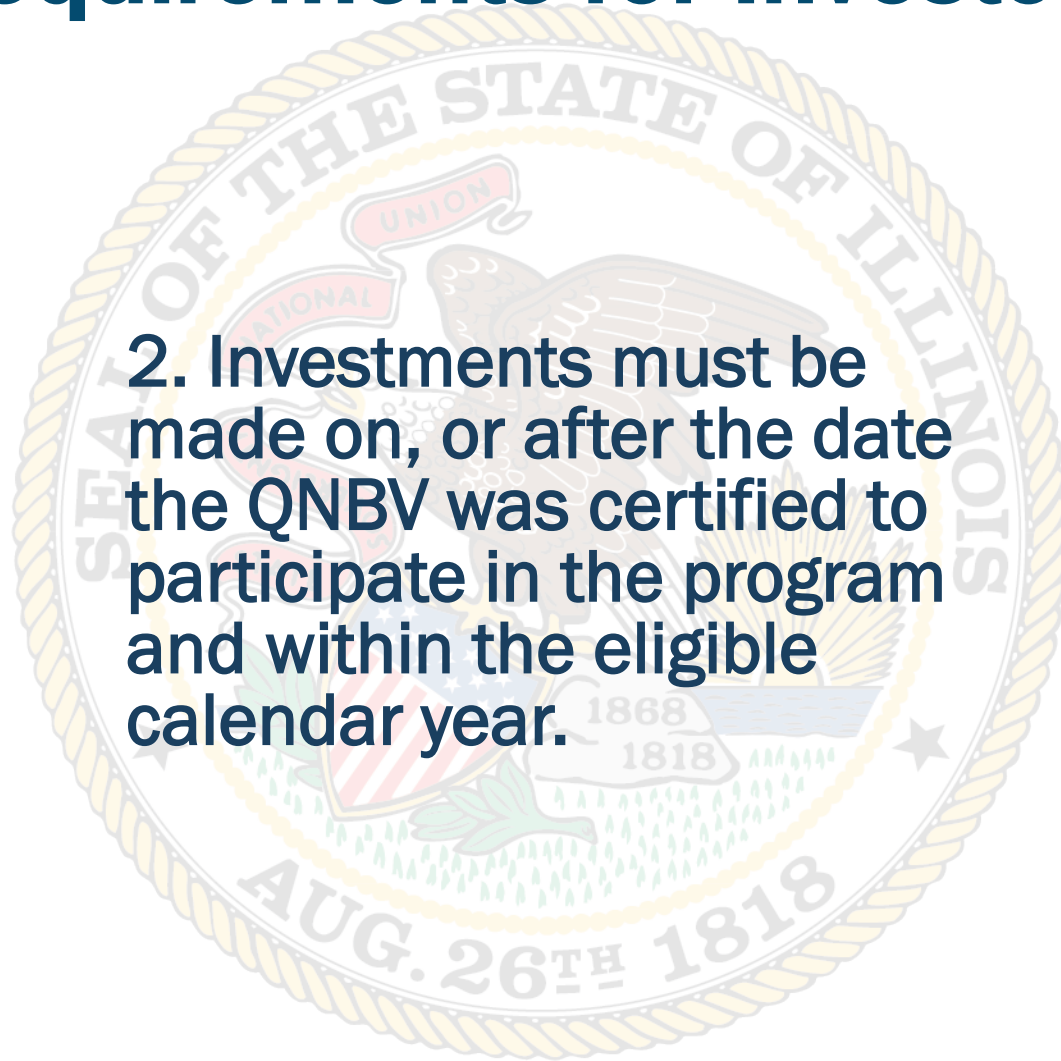
Eligible investments are those that meet the following five requirements:



Eligibility Requirements for Investors



Eligibility Requirements for Investors



2. Investments must be made on, or after the date the QNBV was certified to participate in the program and within the eligible calendar year.



Eligibility Requirements for Investors



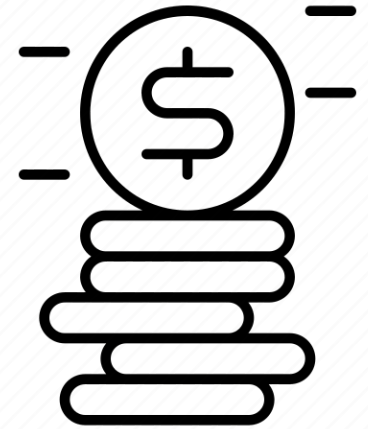
3. Investment must be a minimum of \$10,000 (and the basis for any single investment cannot exceed \$2,000,000).



Eligibility Requirements for Investors



4. Investment must remain (except in the event of a “qualifying liquidity event”) in the QNBV for a minimum of 3 years



“Qualifying liquidity event” means any event that would be considered an exit for an illiquid investment, including any event that allows the equity holders of the business (or any material portion of the business) to cash out some or all of their respective equity interests in which the claimant does not convey an equity interest to the QNBV or a related member of the qualified new business venture.



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Eligibility Requirements for Investors

5. The investment must be given at a risk of loss and in consideration for an equity interest of the QNBV. An investment is at risk of loss if its repayment depends entirely upon the success of the business operations of the QNBV. A contingent equity investment is an investment.

"Contingent equity investment" means money (or its equivalent) given to a qualified new business venture in consideration for a future equity interest that matures or converts to equity within three years after the investment. If the agreement governing the investment does not provide for mandatory and unconditional conversion within three years after the investment, the investment will not be considered a contingent equity investment. Contingent equity investments that have features of a debt instrument may be ineligible for a tax credit if the agreement contains unreasonable risk mitigation provisions. "Unreasonable risk mitigation provisions" means investment terms that remove a significant degree of the risk of loss during the three years following the investment. Examples include provisions for interest payments, security, and priority in the event of liquidation.



Applying for the Investor Tax Credit

DCEO hosts an easy-to-complete digital application portal.

Tax credits are issued on a first-come, first-serve basis and will be 25% (35% for set-asides) of the investment made into a QNBV so long as the investor and investment meet eligibility criteria and the program has not reached its issuance limit of \$15,000,000 in tax credits.

Tax credits will be issued at the end of each quarter.



Applying for the investor Tax Credit

Top Causes for Delay:	<p>Using a QNBV number from a previous year. (For 2024, all QNBV numbers end with “N”.)</p> <p>Date of Investment entered in application not matching date shown in proof for transfer of funds to QNBV.</p> <p>Not including proof for <u>BOTH</u> transferring and receiving of funds.</p> <p>Submission of incomplete agreement.</p> <p>Rounding dollar amount when entering Investment Amount in application. (Example: Entering \$125,000.00 when actual investment is \$124,999.01.)</p> <p>Not including a mandatory 3 year conversion clause for a SAFE.</p>
If Approved:	<p>The applicant will receive an email stating the investor application has been approved and the email will include an attached tax credit certificate stating the amount of the tax credit to which the applicant is entitled.</p>
If Denied:	<p>The applicant will receive an email stating the application has been denied and will provide reasoning for such determination. If the applicant would like to appeal the determination, they can do so by following the instructions provided in the denial email.</p>



Investor Attestation

Each investor who received tax credits through the Program must submit an *Annual Attestation of Investment* to the Illinois Department of Commerce and Economic Opportunity for each of the 3 years following the date of their investment into the QNBV. The *Attestation* can be found on the website.

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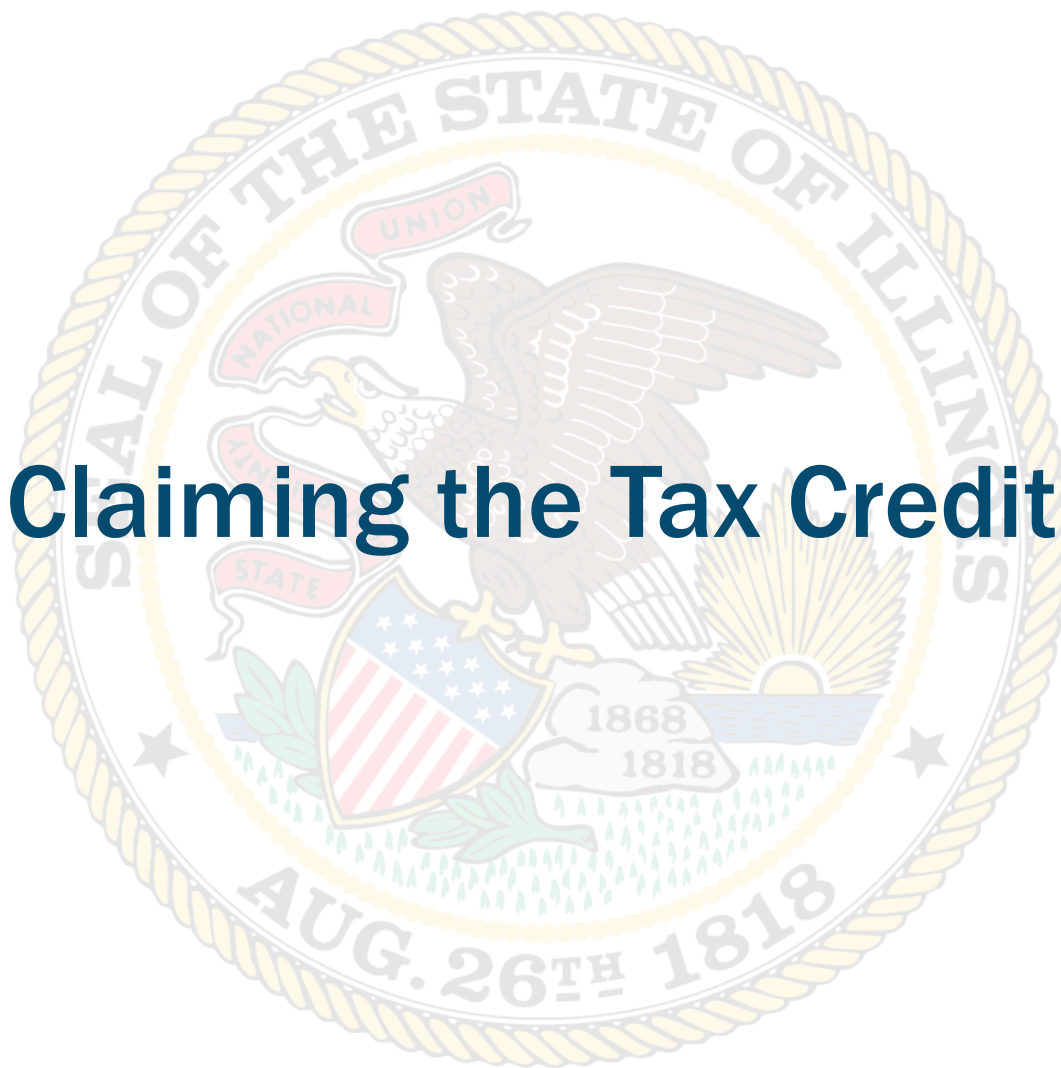
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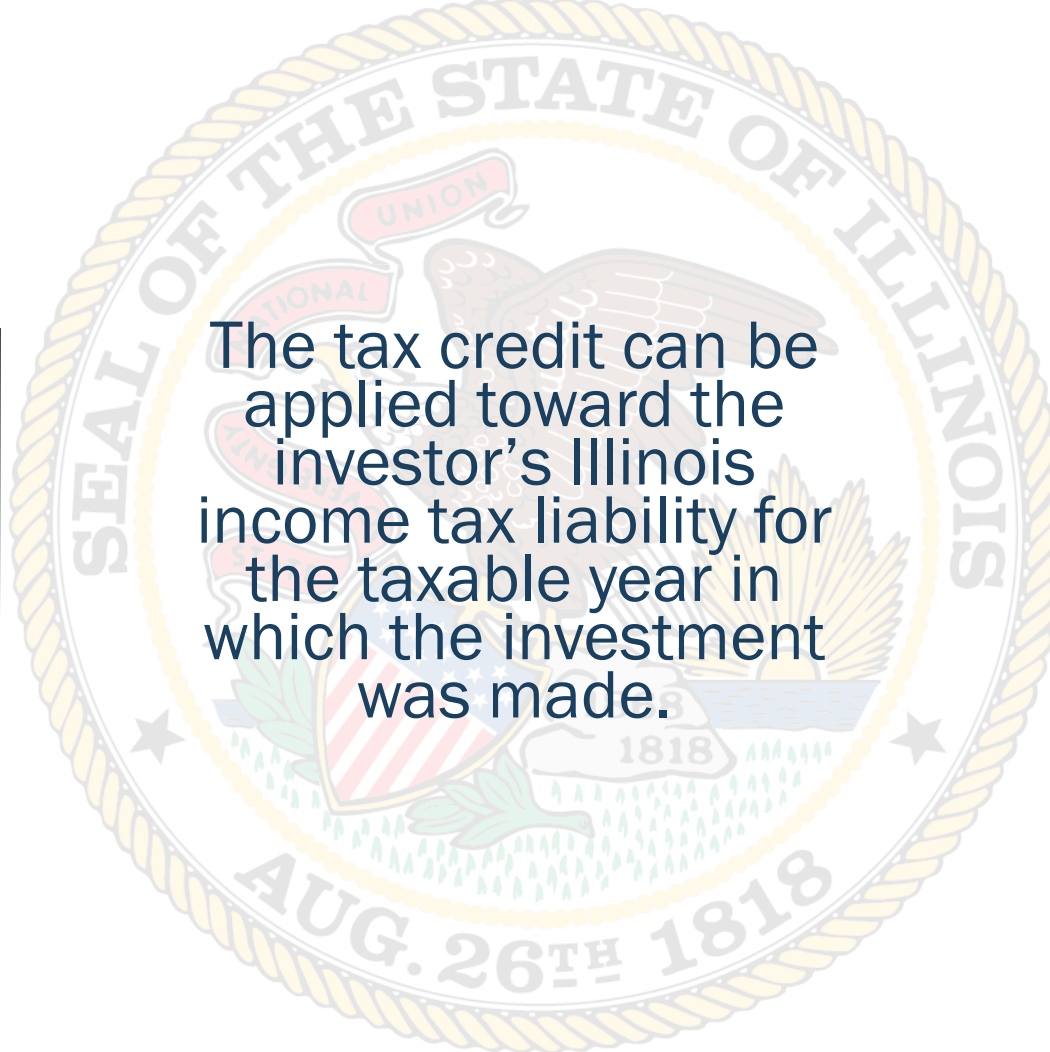
- [QNBV Annual Report](#)
- [Investor Claimant Annual Attestation of Investment](#)



Claiming the Tax Credit



Claiming the Investor Tax Credit



The tax credit can be applied toward the investor's Illinois income tax liability for the taxable year in which the investment was made.



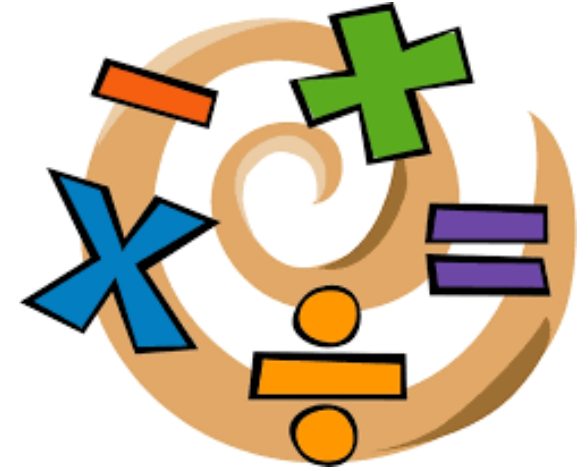
2024																											
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29	30						22	23	24	25	26	27	28	29	30	29	30	31									



Claiming the Investor Tax Credit



Although the credit may not exceed the taxpayer's Illinois income tax liability for the taxable year...



Claiming the Investor Tax Credit



...should the amount of the credit exceed the Illinois income tax liability for the year, the excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year.



Claiming the Investor Tax Credit

2023

January	February	March	April
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2024

January	February	March	April
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May	June	July	August
Su M Tu W Th F Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	Su M Tu W Th F Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	Su M Tu W Th F Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	Su M Tu W Th F Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
September	October	November	December
Su M Tu W Th F Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	Su M Tu W Th F Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	Su M Tu W Th F Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	Su M Tu W Th F Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

The credit shall be applied to the earliest year for which there is a tax liability.



Claiming the Investor Tax Credit



If there are credits from more than one tax year that are available to offset a liability, the earlier credit shall be applied first.



Claiming the Investor Tax Credit

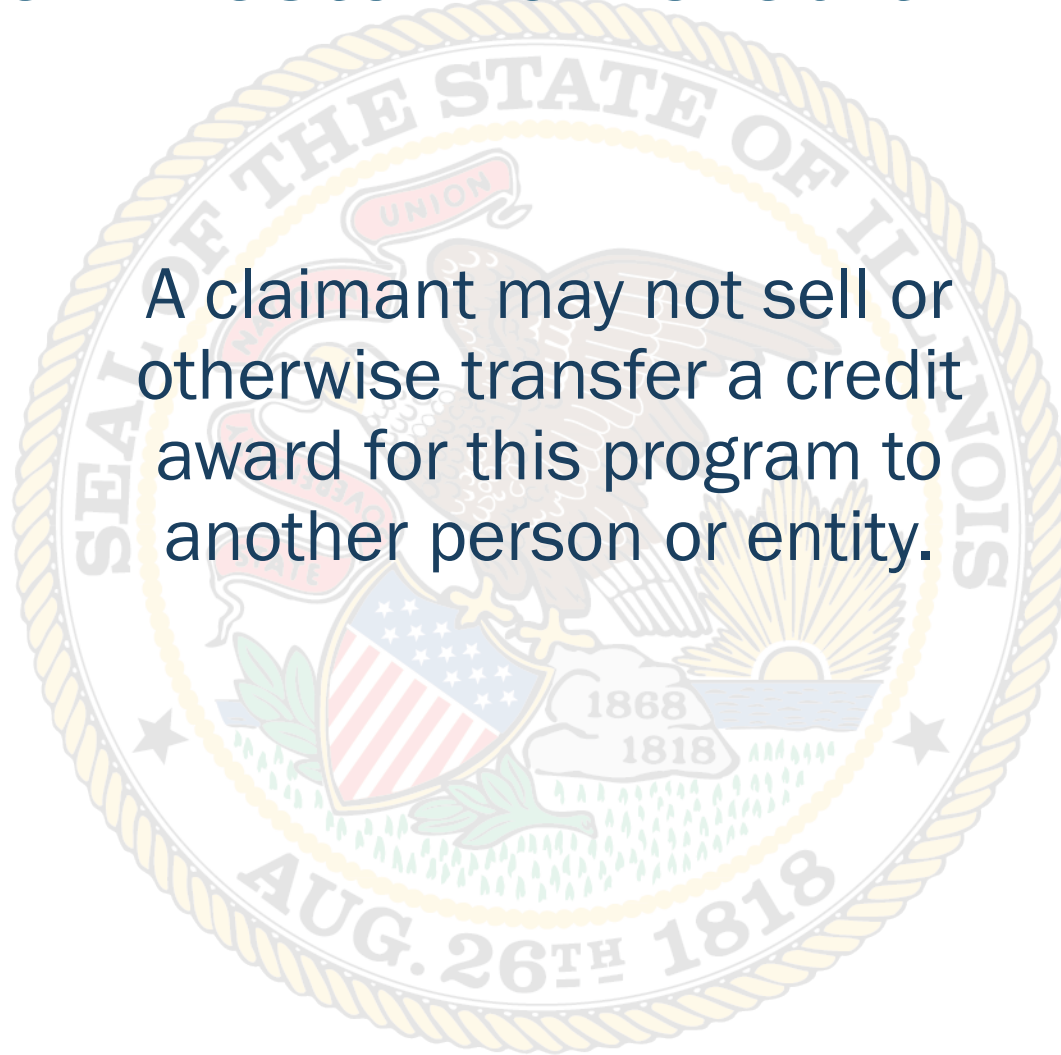


In the case of a partnership or Subchapter S Corporation, the credit is allowed to the partners or shareholders in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code.



Claiming the Investor Tax Credit

NOT TRANSFERABLE



A claimant may not sell or otherwise transfer a credit award for this program to another person or entity.



Illinois
Department of Commerce
& Economic Opportunity
JB Pritzker, Governor

Program Compliance

If the Illinois Department of Commerce and Economic Opportunity determines that a claimant who has received tax credits through the program OR a QNBV that was the recipient of an investment through the program is not in compliance with the requirements of the program, the claimant shall pay to Illinois Department of Revenue, in the manner prescribed by Illinois Department of Revenue, the amount of the credit that the claimant received related to the investment.



