



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/09/04, by Deborah L. Graham

SYNOPSIS AS INTRODUCED:

35 ILCS 105/3-10.1 new
35 ILCS 110/3-10.1 new
35 ILCS 115/3-10.1 new
35 ILCS 120/2-10.1 new

Amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act. Imposes a 1% surcharge on the sale or use in this State of a large sport utility vehicle, if the selling price of the vehicle is more than \$25,000.

LRB093 21000 BDD 47006 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 Use Tax Act is amended by adding Section
5 3-10.1 as follows:

6 (35 ILCS 105/3-10.1 new)

7 Sec. 3-10.1. Sport utility vehicle surcharge.

8 (a) In addition to any other tax imposed under this Act, a
9 surcharge is imposed upon the privilege of using in this State
10 a large sport utility vehicle purchased at retail from a
11 retailer at the rate of 1% of the selling price of the vehicle,
12 if the selling price of the vehicle is more than \$25,000.

13 (b) As used in this Section, "large sport utility vehicle"
14 means a 4-wheeled vehicle manufactured primarily for use on
15 public streets, roads, and highways that meets all of the
16 following requirements:

17 (1) the vehicle is rated between 6,000 and 14,000
18 pounds gross vehicle weight;

19 (2) the vehicle is designed to seat 9 or fewer
20 individuals; and

21 (3) the vehicle has neither an open cargo area with an
22 interior length of 72 or more inches nor a covered box with
23 an interior length of 72 or more inches that is separate
24 from the passenger compartment.

25 (c) The surcharge imposed under this Section shall be
26 collected in the same manner as the tax imposed under this Act
27 and shall be remitted separately to the Department at the same
28 time as the tax imposed under this Act.

29 (d) The proceeds of the surcharge imposed under this
30 Section shall be deposited into the Vehicle Inspection Fund.

31 (e) The Department shall adopt rules and provide forms to
32 carry out the purposes of this Section.

1 Section 10. The Service Use Tax Act is amended by adding
2 Section 3-10.1 as follows:

3 (35 ILCS 110/3-10.1 new)

4 Sec. 3-10.1. Sport utility vehicle surcharge.

5 (a) In addition to any other tax imposed under this Act, a
6 surcharge is imposed upon the privilege of using in this State
7 a large sport utility vehicle acquired as an incident to the
8 purchase of a service from a serviceman at the rate of 1% of
9 the selling price of the vehicle transferred as an incident to
10 the sale of service, if the selling price of the vehicle is
11 more than \$25,000.

12 (b) As used in this Section, "large sport utility vehicle"
13 means a 4-wheeled vehicle manufactured primarily for use on
14 public streets, roads, and highways that meets all of the
15 following requirements:

16 (1) the vehicle is rated between 6,000 and 14,000
17 pounds gross vehicle weight;

18 (2) the vehicle is designed to seat 9 or fewer
19 individuals; and

20 (3) the vehicle has neither an open cargo area with an
21 interior length of 72 or more inches nor a covered box with
22 an interior length of 72 or more inches that is separate
23 from the passenger compartment.

24 (c) The surcharge imposed under this Section shall be
25 collected in the same manner as the tax imposed under this Act
26 and shall be remitted separately to the Department at the same
27 time as the tax imposed under this Act.

28 (d) The proceeds of the surcharge imposed under this
29 Section shall be deposited into the Vehicle Inspection Fund.

30 (e) The Department shall adopt rules and provide forms to
31 carry out the purposes of this Section.

32 Section 15. The Service Occupation Tax Act is amended by
33 adding Section 3-10.1 as follows:

1 (35 ILCS 115/3-10.1 new)

2 Sec. 3-10.1. Sport utility vehicle surcharge.

3 (a) In addition to any other tax imposed under this Act, a
4 surcharge is imposed upon all persons engaged in the business
5 of making sales of service ("servicemen") on large sport
6 utility vehicles transferred as an incident of a sale of
7 service at the rate of 1% of the selling price of the vehicle
8 transferred, if the selling price of the vehicle is more than
9 \$25,000.

10 (b) As used in this Section:

11 "Large sport utility vehicle" means a 4-wheeled vehicle
12 manufactured primarily for use on public streets, roads, and
13 highways that meets all of the following requirements:

14 (1) the vehicle is rated between 6,000 and 14,000
15 pounds gross vehicle weight;

16 (2) the vehicle is designed to seat 9 or fewer
17 individuals; and

18 (3) the vehicle has neither an open cargo area with an
19 interior length of 72 or more inches nor a covered box with
20 an interior length of 72 or more inches that is separate
21 from the passenger compartment.

22 "Selling price" means that term as defined in Section 2 of
23 the Service Use Tax Act.

24 (c) The surcharge imposed under this Section shall be
25 collected in the same manner as the tax imposed under this Act
26 and shall be remitted separately to the Department at the same
27 time as the tax imposed under this Act.

28 (d) The proceeds of the surcharge imposed under this
29 Section shall be deposited into the Vehicle Inspection Fund.

30 (e) The Department shall adopt rules and provide forms to
31 carry out the purposes of this Section.

32 Section 20. The Retailers' Occupation Tax Act is amended by
33 adding Section 2-10.1 as follows:

1 (35 ILCS 120/2-10.1 new)

2 Sec. 2-10.1. Sport utility vehicle surcharge.

3 (a) In addition to any other tax imposed under this Act, a
4 surcharge is imposed upon persons engaged in the business of
5 selling large sport utility vehicles at retail at the rate of
6 1% of the gross receipts from the sale of each large sports
7 utility vehicle made in the course of business, if the selling
8 price of the vehicle is more than \$25,000.

9 (b) As used in this Section, "large sport utility vehicle"
10 means a 4-wheeled vehicle manufactured primarily for use on
11 public streets, roads, and highways that meets all of the
12 following requirements:

13 (1) the vehicle is rated between 6,000 and 14,000
14 pounds gross vehicle weight;

15 (2) the vehicle is designed to seat 9 or fewer
16 individuals; and

17 (3) the vehicle has neither an open cargo area with an
18 interior length of 72 or more inches nor a covered box with
19 an interior length of 72 or more inches that is separate
20 from the passenger compartment.

21 (c) The surcharge imposed under this Section shall be
22 collected in the same manner as the tax imposed under this Act
23 and shall be remitted separately to the Department at the same
24 time as the tax imposed under this Act.

25 (d) The proceeds of the surcharge imposed under this
26 Section shall be deposited into the Vehicle Inspection Fund.

27 (e) The Department shall adopt rules and provide forms to
28 carry out the purposes of this Section.