



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB0482

Introduced 1/27/2005, by Rep. Kevin Joyce

SYNOPSIS AS INTRODUCED:

35 ILCS 105/3b new
35 ILCS 120/2-75 new
30 ILCS 805/8.29 new

Amends the Use Tax Act and the Retailers' Occupation Tax Act. Provides that, notwithstanding any other provision to the contrary, no tax shall be imposed under those Acts upon the privilege of using in this State (for the Use Tax Act) or persons engaged in the business of selling at retail (for the Retailers' Occupation Tax Act) any item that is (i) purchased for a selling price of \$2,500 or less and (ii) purchased from 12:00 a.m. through 11:59 p.m of the the first Saturday in August of each year. Provides that a unit of local government may, by ordinance adopted by that unit of local government, opt out of the tax holiday and continue to collect and remit the tax imposed under those Acts during the tax holiday period. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

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FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning revenue.

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 3b
5 as follows:

6 (35 ILCS 105/3b new)

7 Sec. 3b. Annual tax holiday.

8 (a) Notwithstanding any other provision to the contrary, no
9 tax shall be imposed under this Act upon the privilege of using
10 in this State any item purchased at retail from a retailer if
11 that item is (i) purchased for a selling price of \$2,500 or
12 less and (ii) purchased from 12:00 a.m. through 11:59 p.m of
13 the the first Saturday in August of each year. Any discount,
14 coupon, or other credit offered either by the retailer or by a
15 vendor of the retailer to reduce the final price to the
16 customer shall be taken into account in determining the selling
17 price of the item for purposes of this holiday.

18 (b) A unit of local government may, by ordinance adopted by
19 that unit of local government, opt out of the tax holiday
20 imposed by this Section and continue to collect and remit the
21 tax imposed under this Act during the tax holiday period.

22 Section 10. The Retailers' Occupation Tax Act is amended by
23 adding Section 2-75 as follows:

24 (35 ILCS 120/2-75 new)

25 Sec. 2-75. Annual tax holiday.

26 (a) Notwithstanding any other provision to the contrary, no
27 tax shall be imposed under this Act upon persons engaged in the
28 business of selling at retail any if that is (i) purchased for
29 a selling price of \$2,500 or less and (ii) purchased from 12:00
30 a.m. through 11:59 p.m of the the first Saturday in August of

1 each year. Any discount, coupon, or other credit offered either
2 by the retailer or by a vendor of the retailer to reduce the
3 final price to the customer shall be taken into account in
4 determining the selling price of the item for purposes of this
5 holiday.

6 (b) A unit of local government may, by ordinance adopted by
7 that unit of local government, opt out of the tax holiday
8 imposed by this Section and continue to collect and remit the
9 tax imposed under this Act during the tax holiday period.

10 Section 90. The State Mandates Act is amended by adding
11 Section 8.29 as follows:

12 (30 ILCS 805/8.29 new)

13 Sec. 8.29. Exempt mandate. Notwithstanding Sections 6 and 8
14 of this Act, no reimbursement by the State is required for the
15 implementation of any mandate created by this amendatory Act of
16 the 94th General Assembly.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.