



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

SB0513

Introduced 2/17/2005, by Sen. James F. Clayborne, Jr.

#### SYNOPSIS AS INTRODUCED:

35 ILCS 105/3b new  
35 ILCS 120/2-75 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) certain household appliances that (i) qualify as an "Energy Star" product under the federal Energy Star Program; and (ii) are purchased from 12:01 a.m. on on April 22 of 2006 or 2007 through 11:59 p.m. of April 28 of that same year. Authorizes and encourages units of local government that impose use and occupation taxes to declare a similar tax holiday. Effective immediately.

LRB094 10092 BDD 40353 b

FISCAL NOTE ACT  
MAY APPLY

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. Tax holiday for "Energy Star" appliances.

8 (a) Notwithstanding any other provision to the contrary, no  
9 tax shall be imposed under this Act upon the privilege of using  
10 for nonbusiness purposes in this State a clothes washer,  
11 dehumidifier, dishwasher, refrigerator, freezer, room air  
12 conditioner, ceiling fan, programmable thermostat, ventilating  
13 fan, compact fluorescent bulb, or residential light fixture  
14 purchased if the item:

15 (i) qualifies as an "Energy Star" product under the  
16 Energy Star Program administered by the United States  
17 Environmental Protection Agency; and

18 (ii) is purchased during the tax holiday period, which  
19 is from 12:01 a.m. on April 22 of 2006 or 2007 through  
20 11:59 p.m. of April 28 of that same year.

21 (b) Any discount, coupon, or other credit offered either by  
22 the retailer or by a vendor of the retailer to reduce the final  
23 price to the customer shall be taken into account in  
24 determining the selling price of the item for purposes of this  
25 holiday. For purpose of this Section, a "purchase" occurs  
26 during the tax holiday if the buyer places an order and pays  
27 the purchase price by cash or credit during the tax holiday  
28 period regardless of whether the delivery of the item occurs  
29 after the tax holiday period.

30 (c) Each unit of local government that imposes a use tax  
31 may, by resolution or ordinance, declare a tax holiday with  
32 respect to its use tax for the same items, during the same

1 periods, and under the same conditions and is encouraged to do  
2 so.

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

5 (35 ILCS 120/2-75 new)

6 Sec. 2-75. Tax holiday for "Energy Star" appliances.

7 (a) Notwithstanding any other provision to the contrary, no  
8 tax shall be imposed under this Act upon persons engaged in the  
9 business of selling at retail, for nonbusiness use, a clothes  
10 washer, dehumidifier, dishwasher, refrigerator, freezer, room  
11 air conditioner, ceiling fan, programmable thermostat,  
12 ventilating fan, compact fluorescent bulb, or residential  
13 light fixture purchased if the item:

14 (i) qualifies as an "Energy Star" product under the  
15 Energy Star Program administered by the United States  
16 Environmental Protection Agency; and

17 (ii) is purchased during the tax holiday period, which  
18 is from 12:01 a.m. on April 22 of 2006 or 2007 through  
19 11:59 p.m. of April 28 of that same year.

20 (b) Any discount, coupon, or other credit offered either by  
21 the retailer or by a vendor of the retailer to reduce the final  
22 price to the customer shall be taken into account in  
23 determining the selling price of the item for purposes of this  
24 holiday. For purpose of this Section, a "purchase" occurs  
25 during the tax holiday if the buyer places an order and pays  
26 the purchase price by cash or credit during the tax holiday  
27 period regardless of whether the delivery of the item occurs  
28 after the tax holiday period.

29 (c) Each unit of local government that imposes a retailers'  
30 occupation tax may, by resolution or ordinance, declare a tax  
31 holiday with respect to its retailers' occupation tax for the  
32 same items, during the same periods, and under the same  
33 conditions and is encouraged to do so.

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.