

1 AN ACT in relation to 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 changing
5 Section 3-5 as follows:

6 (35 ILCS 105/3-5) (from Ch. 120, par. 439.3-5)

7 Sec. 3-5. Exemptions. Use of the following tangible
8 personal property is exempt from the tax imposed by this Act:

9 (1) Personal property purchased from a corporation,
10 society, association, foundation, institution, or
11 organization, other than a limited liability company, that is
12 organized and operated as a not-for-profit service enterprise
13 for the benefit of persons 65 years of age or older if the
14 personal property was not purchased by the enterprise for the
15 purpose of resale by the enterprise.

16 (2) Personal property purchased by a not-for-profit
17 Illinois county fair association for use in conducting,
18 operating, or promoting the county fair.

19 (3) Personal property purchased by a not-for-profit arts
20 or cultural organization that establishes, by proof required
21 by the Department by rule, that it has received an exemption
22 under Section 501(c)(3) of the Internal Revenue Code and that
23 is organized and operated primarily for the presentation or
24 support of arts or cultural programming, activities, or
25 services. These organizations include, but are not limited
26 to, music and dramatic arts organizations such as symphony
27 orchestras and theatrical groups, arts and cultural service
28 organizations, local arts councils, visual arts
29 organizations, and media arts organizations. On and after the
30 effective date of this amendatory Act of the 92nd General
31 Assembly, however, an entity otherwise eligible for this

1 exemption shall not make tax-free purchases unless it has an
2 active identification number issued by the Department.

3 (4) Personal property purchased by a governmental body,
4 by a corporation, society, association, foundation, or
5 institution organized and operated exclusively for
6 charitable, religious, or educational purposes, or by a
7 not-for-profit corporation, society, association, foundation,
8 institution, or organization that has no compensated officers
9 or employees and that is organized and operated primarily for
10 the recreation of persons 55 years of age or older. A limited
11 liability company may qualify for the exemption under this
12 paragraph only if the limited liability company is organized
13 and operated exclusively for educational purposes. On and
14 after July 1, 1987, however, no entity otherwise eligible for
15 this exemption shall make tax-free purchases unless it has an
16 active exemption identification number issued by the
17 Department.

18 (5) A passenger car that is a replacement vehicle to the
19 extent that the purchase price of the car is subject to the
20 Replacement Vehicle Tax.

21 (6) Graphic arts machinery and equipment, including
22 repair and replacement parts, both new and used, and
23 including that manufactured on special order, certified by
24 the purchaser to be used primarily for graphic arts
25 production, and including machinery and equipment purchased
26 for lease.

27 (7) Farm chemicals.

28 (8) Legal tender, currency, medallions, or gold or
29 silver coinage issued by the State of Illinois, the
30 government of the United States of America, or the government
31 of any foreign country, and bullion.

32 (9) Personal property purchased from a teacher-sponsored
33 student organization affiliated with an elementary or
34 secondary school located in Illinois.

1 (10) A motor vehicle of the first division, a motor
2 vehicle of the second division that is a self-contained motor
3 vehicle designed or permanently converted to provide living
4 quarters for recreational, camping, or travel use, with
5 direct walk through to the living quarters from the driver's
6 seat, or a motor vehicle of the second division that is of
7 the van configuration designed for the transportation of not
8 less than 7 nor more than 16 passengers, as defined in
9 Section 1-146 of the Illinois Vehicle Code, that is used for
10 automobile renting, as defined in the Automobile Renting
11 Occupation and Use Tax Act.

12 (11) Farm machinery and equipment, both new and used,
13 including that manufactured on special order, certified by
14 the purchaser to be used primarily for production agriculture
15 or State or federal agricultural programs, including
16 individual replacement parts for the machinery and equipment,
17 including machinery and equipment purchased for lease, and
18 including implements of husbandry defined in Section 1-130 of
19 the Illinois Vehicle Code, farm machinery and agricultural
20 chemical and fertilizer spreaders, and nurse wagons required
21 to be registered under Section 3-809 of the Illinois Vehicle
22 Code, but excluding other motor vehicles required to be
23 registered under the Illinois Vehicle Code. Horticultural
24 polyhouses or hoop houses used for propagating, growing, or
25 overwintering plants shall be considered farm machinery and
26 equipment under this item (11). Agricultural chemical tender
27 tanks and dry boxes shall include units sold separately from
28 a motor vehicle required to be licensed and units sold
29 mounted on a motor vehicle required to be licensed if the
30 selling price of the tender is separately stated.

31 Farm machinery and equipment shall include precision
32 farming equipment that is installed or purchased to be
33 installed on farm machinery and equipment including, but not
34 limited to, tractors, harvesters, sprayers, planters,

1 seeders, or spreaders. Precision farming equipment includes,
2 but is not limited to, soil testing sensors, computers,
3 monitors, software, global positioning and mapping systems,
4 and other such equipment.

5 Farm machinery and equipment also includes computers,
6 sensors, software, and related equipment used primarily in
7 the computer-assisted operation of production agriculture
8 facilities, equipment, and activities such as, but not
9 limited to, the collection, monitoring, and correlation of
10 animal and crop data for the purpose of formulating animal
11 diets and agricultural chemicals. This item (11) is exempt
12 from the provisions of Section 3-90.

13 (12) Fuel and petroleum products sold to or used by an
14 air common carrier, certified by the carrier to be used for
15 consumption, shipment, or storage in the conduct of its
16 business as an air common carrier, for a flight destined for
17 or returning from a location or locations outside the United
18 States without regard to previous or subsequent domestic
19 stopovers.

20 (13) Proceeds of mandatory service charges separately
21 stated on customers' bills for the purchase and consumption
22 of food and beverages purchased at retail from a retailer, to
23 the extent that the proceeds of the service charge are in
24 fact turned over as tips or as a substitute for tips to the
25 employees who participate directly in preparing, serving,
26 hosting or cleaning up the food or beverage function with
27 respect to which the service charge is imposed.

28 (14) Oil field exploration, drilling, and production
29 equipment, including (i) rigs and parts of rigs, rotary rigs,
30 cable tool rigs, and workover rigs, (ii) pipe and tubular
31 goods, including casing and drill strings, (iii) pumps and
32 pump-jack units, (iv) storage tanks and flow lines, (v) any
33 individual replacement part for oil field exploration,
34 drilling, and production equipment, and (vi) machinery and

1 equipment purchased for lease; but excluding motor vehicles
2 required to be registered under the Illinois Vehicle Code.

3 (15) Photoprocessing machinery and equipment, including
4 repair and replacement parts, both new and used, including
5 that manufactured on special order, certified by the
6 purchaser to be used primarily for photoprocessing, and
7 including photoprocessing machinery and equipment purchased
8 for lease.

9 (16) Coal exploration, mining, offhighway hauling,
10 processing, maintenance, and reclamation equipment, including
11 replacement parts and equipment, and including equipment
12 purchased for lease, but excluding motor vehicles required to
13 be registered under the Illinois Vehicle Code.

14 (17) Distillation machinery and equipment, sold as a
15 unit or kit, assembled or installed by the retailer,
16 certified by the user to be used only for the production of
17 ethyl alcohol that will be used for consumption as motor fuel
18 or as a component of motor fuel for the personal use of the
19 user, and not subject to sale or resale.

20 (18) Manufacturing and assembling machinery and
21 equipment used primarily in the process of manufacturing or
22 assembling tangible personal property for wholesale or retail
23 sale or lease, whether that sale or lease is made directly by
24 the manufacturer or by some other person, whether the
25 materials used in the process are owned by the manufacturer
26 or some other person, or whether that sale or lease is made
27 apart from or as an incident to the seller's engaging in the
28 service occupation of producing machines, tools, dies, jigs,
29 patterns, gauges, or other similar items of no commercial
30 value on special order for a particular purchaser.

31 (19) Personal property delivered to a purchaser or
32 purchaser's donee inside Illinois when the purchase order for
33 that personal property was received by a florist located
34 outside Illinois who has a florist located inside Illinois

1 deliver the personal property.

2 (20) Semen used for artificial insemination of livestock
3 for direct agricultural production.

4 (21) Horses, or interests in horses, registered with and
5 meeting the requirements of any of the Arabian Horse Club
6 Registry of America, Appaloosa Horse Club, American Quarter
7 Horse Association, United States Trotting Association, or
8 Jockey Club, as appropriate, used for purposes of breeding or
9 racing for prizes.

10 (22) Computers and communications equipment utilized for
11 any hospital purpose and equipment used in the diagnosis,
12 analysis, or treatment of hospital patients purchased by a
13 lessor who leases the equipment, under a lease of one year or
14 longer executed or in effect at the time the lessor would
15 otherwise be subject to the tax imposed by this Act, to a
16 hospital that has been issued an active tax exemption
17 identification number by the Department under Section 1g of
18 the Retailers' Occupation Tax Act. If the equipment is
19 leased in a manner that does not qualify for this exemption
20 or is used in any other non-exempt manner, the lessor shall
21 be liable for the tax imposed under this Act or the Service
22 Use Tax Act, as the case may be, based on the fair market
23 value of the property at the time the non-qualifying use
24 occurs. No lessor shall collect or attempt to collect an
25 amount (however designated) that purports to reimburse that
26 lessor for the tax imposed by this Act or the Service Use Tax
27 Act, as the case may be, if the tax has not been paid by the
28 lessor. If a lessor improperly collects any such amount from
29 the lessee, the lessee shall have a legal right to claim a
30 refund of that amount from the lessor. If, however, that
31 amount is not refunded to the lessee for any reason, the
32 lessor is liable to pay that amount to the Department.

33 (23) Personal property purchased by a lessor who leases
34 the property, under a lease of one year or longer executed

1 or in effect at the time the lessor would otherwise be
2 subject to the tax imposed by this Act, to a governmental
3 body that has been issued an active sales tax exemption
4 identification number by the Department under Section 1g of
5 the Retailers' Occupation Tax Act. If the property is leased
6 in a manner that does not qualify for this exemption or used
7 in any other non-exempt manner, the lessor shall be liable
8 for the tax imposed under this Act or the Service Use Tax
9 Act, as the case may be, based on the fair market value of
10 the property at the time the non-qualifying use occurs. No
11 lessor shall collect or attempt to collect an amount (however
12 designated) that purports to reimburse that lessor for the
13 tax imposed by this Act or the Service Use Tax Act, as the
14 case may be, if the tax has not been paid by the lessor. If
15 a lessor improperly collects any such amount from the lessee,
16 the lessee shall have a legal right to claim a refund of that
17 amount from the lessor. If, however, that amount is not
18 refunded to the lessee for any reason, the lessor is liable
19 to pay that amount to the Department.

20 (24) Beginning with taxable years ending on or after
21 December 31, 1995 and ending with taxable years ending on or
22 before December 31, 2004, personal property that is donated
23 for disaster relief to be used in a State or federally
24 declared disaster area in Illinois or bordering Illinois by a
25 manufacturer or retailer that is registered in this State to
26 a corporation, society, association, foundation, or
27 institution that has been issued a sales tax exemption
28 identification number by the Department that assists victims
29 of the disaster who reside within the declared disaster area.

30 (25) Beginning with taxable years ending on or after
31 December 31, 1995 and ending with taxable years ending on or
32 before December 31, 2004, personal property that is used in
33 the performance of infrastructure repairs in this State,
34 including but not limited to municipal roads and streets,

1 access roads, bridges, sidewalks, waste disposal systems,
2 water and sewer line extensions, water distribution and
3 purification facilities, storm water drainage and retention
4 facilities, and sewage treatment facilities, resulting from a
5 State or federally declared disaster in Illinois or bordering
6 Illinois when such repairs are initiated on facilities
7 located in the declared disaster area within 6 months after
8 the disaster.

9 (26) Beginning July 1, 1999, game or game birds
10 purchased at a "game breeding and hunting preserve area" or
11 an "exotic game hunting area" as those terms are used in the
12 Wildlife Code or at a hunting enclosure approved through
13 rules adopted by the Department of Natural Resources. This
14 paragraph is exempt from the provisions of Section 3-90.

15 (27) A motor vehicle, as that term is defined in Section
16 1-146 of the Illinois Vehicle Code, that is donated to a
17 corporation, limited liability company, society, association,
18 foundation, or institution that is determined by the
19 Department to be organized and operated exclusively for
20 educational purposes. For purposes of this exemption, "a
21 corporation, limited liability company, society, association,
22 foundation, or institution organized and operated exclusively
23 for educational purposes" means all tax-supported public
24 schools, private schools that offer systematic instruction in
25 useful branches of learning by methods common to public
26 schools and that compare favorably in their scope and
27 intensity with the course of study presented in tax-supported
28 schools, and vocational or technical schools or institutes
29 organized and operated exclusively to provide a course of
30 study of not less than 6 weeks duration and designed to
31 prepare individuals to follow a trade or to pursue a manual,
32 technical, mechanical, industrial, business, or commercial
33 occupation.

34 (28) Beginning January 1, 2000, personal property,

1 including food, purchased through fundraising events for the
2 benefit of a public or private elementary or secondary
3 school, a group of those schools, or one or more school
4 districts if the events are sponsored by an entity recognized
5 by the school district that consists primarily of volunteers
6 and includes parents and teachers of the school children.
7 This paragraph does not apply to fundraising events (i) for
8 the benefit of private home instruction or (ii) for which the
9 fundraising entity purchases the personal property sold at
10 the events from another individual or entity that sold the
11 property for the purpose of resale by the fundraising entity
12 and that profits from the sale to the fundraising entity.
13 This paragraph is exempt from the provisions of Section 3-90.

14 (29) Beginning January 1, 2000, new or used automatic
15 vending machines that prepare and serve hot food and
16 beverages, including coffee, soup, and other items, and
17 replacement parts for these machines. This paragraph is
18 exempt from the provisions of Section 3-90.

19 (30) Food for human consumption that is to be consumed
20 off the premises where it is sold (other than alcoholic
21 beverages, soft drinks, and food that has been prepared for
22 immediate consumption) and prescription and nonprescription
23 medicines, drugs, medical appliances, and insulin, urine
24 testing materials, syringes, and needles used by diabetics,
25 for human use, when purchased for use by a person receiving
26 medical assistance under Article 5 of the Illinois Public Aid
27 Code who resides in a licensed long-term care facility, as
28 defined in the Nursing Home Care Act.

29 (Source: P.A. 90-14, eff. 7-1-97; 90-552, eff. 12-12-97;
30 90-605, eff. 6-30-98; 91-51, eff. 6-30-99; 91-200, eff.
31 7-20-99; 91-439, eff. 8-6-99; 91-637, eff. 8-20-99; 91-644,
32 eff. 8-20-99; 91-901, eff. 1-1-01.)

33 Section 10. The Service Use Tax Act is amended by

1 changing Section 3-5 as follows:

2 (35 ILCS 110/3-5) (from Ch. 120, par. 439.33-5)

3 Sec. 3-5. Exemptions. Use of the following tangible
4 personal property is exempt from the tax imposed by this Act:

5 (1) Personal property purchased from a corporation,
6 society, association, foundation, institution, or
7 organization, other than a limited liability company, that is
8 organized and operated as a not-for-profit service enterprise
9 for the benefit of persons 65 years of age or older if the
10 personal property was not purchased by the enterprise for the
11 purpose of resale by the enterprise.

12 (2) Personal property purchased by a non-profit Illinois
13 county fair association for use in conducting, operating, or
14 promoting the county fair.

15 (3) Personal property purchased by a not-for-profit arts
16 or cultural organization that establishes, by proof required
17 by the Department by rule, that it has received an exemption
18 under Section 501(c)(3) of the Internal Revenue Code and that
19 is organized and operated primarily for the presentation or
20 support of arts or cultural programming, activities, or
21 services. These organizations include, but are not limited
22 to, music and dramatic arts organizations such as symphony
23 orchestras and theatrical groups, arts and cultural service
24 organizations, local arts councils, visual arts
25 organizations, and media arts organizations. On and after the
26 effective date of this amendatory Act of the 92nd General
27 Assembly, however, an entity otherwise eligible for this
28 exemption shall not make tax-free purchases unless it has an
29 active identification number issued by the Department.

30 (4) Legal tender, currency, medallions, or gold or
31 silver coinage issued by the State of Illinois, the
32 government of the United States of America, or the government
33 of any foreign country, and bullion.

1 (5) Graphic arts machinery and equipment, including
2 repair and replacement parts, both new and used, and
3 including that manufactured on special order or purchased for
4 lease, certified by the purchaser to be used primarily for
5 graphic arts production.

6 (6) Personal property purchased from a teacher-sponsored
7 student organization affiliated with an elementary or
8 secondary school located in Illinois.

9 (7) Farm machinery and equipment, both new and used,
10 including that manufactured on special order, certified by
11 the purchaser to be used primarily for production agriculture
12 or State or federal agricultural programs, including
13 individual replacement parts for the machinery and equipment,
14 including machinery and equipment purchased for lease, and
15 including implements of husbandry defined in Section 1-130 of
16 the Illinois Vehicle Code, farm machinery and agricultural
17 chemical and fertilizer spreaders, and nurse wagons required
18 to be registered under Section 3-809 of the Illinois Vehicle
19 Code, but excluding other motor vehicles required to be
20 registered under the Illinois Vehicle Code. Horticultural
21 polyhouses or hoop houses used for propagating, growing, or
22 overwintering plants shall be considered farm machinery and
23 equipment under this item (7). Agricultural chemical tender
24 tanks and dry boxes shall include units sold separately from
25 a motor vehicle required to be licensed and units sold
26 mounted on a motor vehicle required to be licensed if the
27 selling price of the tender is separately stated.

28 Farm machinery and equipment shall include precision
29 farming equipment that is installed or purchased to be
30 installed on farm machinery and equipment including, but not
31 limited to, tractors, harvesters, sprayers, planters,
32 seeders, or spreaders. Precision farming equipment includes,
33 but is not limited to, soil testing sensors, computers,
34 monitors, software, global positioning and mapping systems,

1 and other such equipment.

2 Farm machinery and equipment also includes computers,
3 sensors, software, and related equipment used primarily in
4 the computer-assisted operation of production agriculture
5 facilities, equipment, and activities such as, but not
6 limited to, the collection, monitoring, and correlation of
7 animal and crop data for the purpose of formulating animal
8 diets and agricultural chemicals. This item (7) is exempt
9 from the provisions of Section 3-75.

10 (8) Fuel and petroleum products sold to or used by an
11 air common carrier, certified by the carrier to be used for
12 consumption, shipment, or storage in the conduct of its
13 business as an air common carrier, for a flight destined for
14 or returning from a location or locations outside the United
15 States without regard to previous or subsequent domestic
16 stopovers.

17 (9) Proceeds of mandatory service charges separately
18 stated on customers' bills for the purchase and consumption
19 of food and beverages acquired as an incident to the purchase
20 of a service from a serviceman, to the extent that the
21 proceeds of the service charge are in fact turned over as
22 tips or as a substitute for tips to the employees who
23 participate directly in preparing, serving, hosting or
24 cleaning up the food or beverage function with respect to
25 which the service charge is imposed.

26 (10) Oil field exploration, drilling, and production
27 equipment, including (i) rigs and parts of rigs, rotary rigs,
28 cable tool rigs, and workover rigs, (ii) pipe and tubular
29 goods, including casing and drill strings, (iii) pumps and
30 pump-jack units, (iv) storage tanks and flow lines, (v) any
31 individual replacement part for oil field exploration,
32 drilling, and production equipment, and (vi) machinery and
33 equipment purchased for lease; but excluding motor vehicles
34 required to be registered under the Illinois Vehicle Code.

1 (11) Proceeds from the sale of photoprocessing machinery
2 and equipment, including repair and replacement parts, both
3 new and used, including that manufactured on special order,
4 certified by the purchaser to be used primarily for
5 photoprocessing, and including photoprocessing machinery and
6 equipment purchased for lease.

7 (12) Coal exploration, mining, offhighway hauling,
8 processing, maintenance, and reclamation equipment, including
9 replacement parts and equipment, and including equipment
10 purchased for lease, but excluding motor vehicles required to
11 be registered under the Illinois Vehicle Code.

12 (13) Semen used for artificial insemination of livestock
13 for direct agricultural production.

14 (14) Horses, or interests in horses, registered with and
15 meeting the requirements of any of the Arabian Horse Club
16 Registry of America, Appaloosa Horse Club, American Quarter
17 Horse Association, United States Trotting Association, or
18 Jockey Club, as appropriate, used for purposes of breeding or
19 racing for prizes.

20 (15) Computers and communications equipment utilized for
21 any hospital purpose and equipment used in the diagnosis,
22 analysis, or treatment of hospital patients purchased by a
23 lessor who leases the equipment, under a lease of one year or
24 longer executed or in effect at the time the lessor would
25 otherwise be subject to the tax imposed by this Act, to a
26 hospital that has been issued an active tax exemption
27 identification number by the Department under Section 1g of
28 the Retailers' Occupation Tax Act. If the equipment is leased
29 in a manner that does not qualify for this exemption or is
30 used in any other non-exempt manner, the lessor shall be
31 liable for the tax imposed under this Act or the Use Tax Act,
32 as the case may be, based on the fair market value of the
33 property at the time the non-qualifying use occurs. No
34 lessor shall collect or attempt to collect an amount (however

1 designated) that purports to reimburse that lessor for the
2 tax imposed by this Act or the Use Tax Act, as the case may
3 be, if the tax has not been paid by the lessor. If a lessor
4 improperly collects any such amount from the lessee, the
5 lessee shall have a legal right to claim a refund of that
6 amount from the lessor. If, however, that amount is not
7 refunded to the lessee for any reason, the lessor is liable
8 to pay that amount to the Department.

9 (16) Personal property purchased by a lessor who leases
10 the property, under a lease of one year or longer executed or
11 in effect at the time the lessor would otherwise be subject
12 to the tax imposed by this Act, to a governmental body that
13 has been issued an active tax exemption identification number
14 by the Department under Section 1g of the Retailers'
15 Occupation Tax Act. If the property is leased in a manner
16 that does not qualify for this exemption or is used in any
17 other non-exempt manner, the lessor shall be liable for the
18 tax imposed under this Act or the Use Tax Act, as the case
19 may be, based on the fair market value of the property at the
20 time the non-qualifying use occurs. No lessor shall collect
21 or attempt to collect an amount (however designated) that
22 purports to reimburse that lessor for the tax imposed by this
23 Act or the Use Tax Act, as the case may be, if the tax has
24 not been paid by the lessor. If a lessor improperly collects
25 any such amount from the lessee, the lessee shall have a
26 legal right to claim a refund of that amount from the lessor.
27 If, however, that amount is not refunded to the lessee for
28 any reason, the lessor is liable to pay that amount to the
29 Department.

30 (17) Beginning with taxable years ending on or after
31 December 31, 1995 and ending with taxable years ending on or
32 before December 31, 2004, personal property that is donated
33 for disaster relief to be used in a State or federally
34 declared disaster area in Illinois or bordering Illinois by a

1 manufacturer or retailer that is registered in this State to
2 a corporation, society, association, foundation, or
3 institution that has been issued a sales tax exemption
4 identification number by the Department that assists victims
5 of the disaster who reside within the declared disaster area.

6 (18) Beginning with taxable years ending on or after
7 December 31, 1995 and ending with taxable years ending on or
8 before December 31, 2004, personal property that is used in
9 the performance of infrastructure repairs in this State,
10 including but not limited to municipal roads and streets,
11 access roads, bridges, sidewalks, waste disposal systems,
12 water and sewer line extensions, water distribution and
13 purification facilities, storm water drainage and retention
14 facilities, and sewage treatment facilities, resulting from a
15 State or federally declared disaster in Illinois or bordering
16 Illinois when such repairs are initiated on facilities
17 located in the declared disaster area within 6 months after
18 the disaster.

19 (19) Beginning July 1, 1999, game or game birds
20 purchased at a "game breeding and hunting preserve area" or
21 an "exotic game hunting area" as those terms are used in the
22 Wildlife Code or at a hunting enclosure approved through
23 rules adopted by the Department of Natural Resources. This
24 paragraph is exempt from the provisions of Section 3-75.

25 (20) ~~(19)~~ A motor vehicle, as that term is defined in
26 Section 1-146 of the Illinois Vehicle Code, that is donated
27 to a corporation, limited liability company, society,
28 association, foundation, or institution that is determined by
29 the Department to be organized and operated exclusively for
30 educational purposes. For purposes of this exemption, "a
31 corporation, limited liability company, society, association,
32 foundation, or institution organized and operated exclusively
33 for educational purposes" means all tax-supported public
34 schools, private schools that offer systematic instruction in

1 useful branches of learning by methods common to public
2 schools and that compare favorably in their scope and
3 intensity with the course of study presented in tax-supported
4 schools, and vocational or technical schools or institutes
5 organized and operated exclusively to provide a course of
6 study of not less than 6 weeks duration and designed to
7 prepare individuals to follow a trade or to pursue a manual,
8 technical, mechanical, industrial, business, or commercial
9 occupation.

10 (21) ~~(20)~~ Beginning January 1, 2000, personal property,
11 including food, purchased through fundraising events for the
12 benefit of a public or private elementary or secondary
13 school, a group of those schools, or one or more school
14 districts if the events are sponsored by an entity recognized
15 by the school district that consists primarily of volunteers
16 and includes parents and teachers of the school children.
17 This paragraph does not apply to fundraising events (i) for
18 the benefit of private home instruction or (ii) for which the
19 fundraising entity purchases the personal property sold at
20 the events from another individual or entity that sold the
21 property for the purpose of resale by the fundraising entity
22 and that profits from the sale to the fundraising entity.
23 This paragraph is exempt from the provisions of Section 3-75.

24 (22) ~~(19)~~ Beginning January 1, 2000, new or used
25 automatic vending machines that prepare and serve hot food
26 and beverages, including coffee, soup, and other items, and
27 replacement parts for these machines. This paragraph is
28 exempt from the provisions of Section 3-75.

29 (Source: P.A. 90-14, eff. 7-1-97; 90-552, eff. 12-12-97;
30 90-605, eff. 6-30-98; 91-51, eff. 6-30-99; 91-200, eff.
31 7-20-99; 91-439, eff. 8-6-99; 91-637, eff. 8-20-99; 91-644,
32 eff. 8-20-99; revised 9-29-99.)

33 Section 15. The Service Occupation Tax Act is amended by

1 changing Section 3-5 as follows:

2 (35 ILCS 115/3-5) (from Ch. 120, par. 439.103-5)

3 Sec. 3-5. Exemptions. The following tangible personal
4 property is exempt from the tax imposed by this Act:

5 (1) Personal property sold by a corporation, society,
6 association, foundation, institution, or organization, other
7 than a limited liability company, that is organized and
8 operated as a not-for-profit service enterprise for the
9 benefit of persons 65 years of age or older if the personal
10 property was not purchased by the enterprise for the purpose
11 of resale by the enterprise.

12 (2) Personal property purchased by a not-for-profit
13 Illinois county fair association for use in conducting,
14 operating, or promoting the county fair.

15 (3) Personal property purchased by any not-for-profit
16 arts or cultural organization that establishes, by proof
17 required by the Department by rule, that it has received an
18 exemption under Section 501(c)(3) of the Internal Revenue
19 Code and that is organized and operated primarily for the
20 presentation or support of arts or cultural programming,
21 activities, or services. These organizations include, but
22 are not limited to, music and dramatic arts organizations
23 such as symphony orchestras and theatrical groups, arts and
24 cultural service organizations, local arts councils, visual
25 arts organizations, and media arts organizations. On and
26 after the effective date of this amendatory Act of the 92nd
27 General Assembly, however, an entity otherwise eligible for
28 this exemption shall not make tax-free purchases unless it
29 has an active identification number issued by the Department.

30 (4) Legal tender, currency, medallions, or gold or
31 silver coinage issued by the State of Illinois, the
32 government of the United States of America, or the government
33 of any foreign country, and bullion.

1 (5) Graphic arts machinery and equipment, including
2 repair and replacement parts, both new and used, and
3 including that manufactured on special order or purchased for
4 lease, certified by the purchaser to be used primarily for
5 graphic arts production.

6 (6) Personal property sold by a teacher-sponsored
7 student organization affiliated with an elementary or
8 secondary school located in Illinois.

9 (7) Farm machinery and equipment, both new and used,
10 including that manufactured on special order, certified by
11 the purchaser to be used primarily for production agriculture
12 or State or federal agricultural programs, including
13 individual replacement parts for the machinery and equipment,
14 including machinery and equipment purchased for lease, and
15 including implements of husbandry defined in Section 1-130 of
16 the Illinois Vehicle Code, farm machinery and agricultural
17 chemical and fertilizer spreaders, and nurse wagons required
18 to be registered under Section 3-809 of the Illinois Vehicle
19 Code, but excluding other motor vehicles required to be
20 registered under the Illinois Vehicle Code. Horticultural
21 polyhouses or hoop houses used for propagating, growing, or
22 overwintering plants shall be considered farm machinery and
23 equipment under this item (7). Agricultural chemical tender
24 tanks and dry boxes shall include units sold separately from
25 a motor vehicle required to be licensed and units sold
26 mounted on a motor vehicle required to be licensed if the
27 selling price of the tender is separately stated.

28 Farm machinery and equipment shall include precision
29 farming equipment that is installed or purchased to be
30 installed on farm machinery and equipment including, but not
31 limited to, tractors, harvesters, sprayers, planters,
32 seeders, or spreaders. Precision farming equipment includes,
33 but is not limited to, soil testing sensors, computers,
34 monitors, software, global positioning and mapping systems,

1 and other such equipment.

2 Farm machinery and equipment also includes computers,
3 sensors, software, and related equipment used primarily in
4 the computer-assisted operation of production agriculture
5 facilities, equipment, and activities such as, but not
6 limited to, the collection, monitoring, and correlation of
7 animal and crop data for the purpose of formulating animal
8 diets and agricultural chemicals. This item (7) is exempt
9 from the provisions of Section 3-55.

10 (8) Fuel and petroleum products sold to or used by an
11 air common carrier, certified by the carrier to be used for
12 consumption, shipment, or storage in the conduct of its
13 business as an air common carrier, for a flight destined for
14 or returning from a location or locations outside the United
15 States without regard to previous or subsequent domestic
16 stopovers.

17 (9) Proceeds of mandatory service charges separately
18 stated on customers' bills for the purchase and consumption
19 of food and beverages, to the extent that the proceeds of the
20 service charge are in fact turned over as tips or as a
21 substitute for tips to the employees who participate directly
22 in preparing, serving, hosting or cleaning up the food or
23 beverage function with respect to which the service charge is
24 imposed.

25 (10) Oil field exploration, drilling, and production
26 equipment, including (i) rigs and parts of rigs, rotary rigs,
27 cable tool rigs, and workover rigs, (ii) pipe and tubular
28 goods, including casing and drill strings, (iii) pumps and
29 pump-jack units, (iv) storage tanks and flow lines, (v) any
30 individual replacement part for oil field exploration,
31 drilling, and production equipment, and (vi) machinery and
32 equipment purchased for lease; but excluding motor vehicles
33 required to be registered under the Illinois Vehicle Code.

34 (11) Photoprocessing machinery and equipment, including

1 repair and replacement parts, both new and used, including
2 that manufactured on special order, certified by the
3 purchaser to be used primarily for photoprocessing, and
4 including photoprocessing machinery and equipment purchased
5 for lease.

6 (12) Coal exploration, mining, offhighway hauling,
7 processing, maintenance, and reclamation equipment, including
8 replacement parts and equipment, and including equipment
9 purchased for lease, but excluding motor vehicles required to
10 be registered under the Illinois Vehicle Code.

11 (13) Food for human consumption that is to be consumed
12 off the premises where it is sold (other than alcoholic
13 beverages, soft drinks and food that has been prepared for
14 immediate consumption) and prescription and non-prescription
15 medicines, drugs, medical appliances, and insulin, urine
16 testing materials, syringes, and needles used by diabetics,
17 for human use, when purchased for use by a person receiving
18 medical assistance under Article 5 of the Illinois Public Aid
19 Code who resides in a licensed long-term care facility, as
20 defined in the Nursing Home Care Act.

21 (14) Semen used for artificial insemination of livestock
22 for direct agricultural production.

23 (15) Horses, or interests in horses, registered with and
24 meeting the requirements of any of the Arabian Horse Club
25 Registry of America, Appaloosa Horse Club, American Quarter
26 Horse Association, United States Trotting Association, or
27 Jockey Club, as appropriate, used for purposes of breeding or
28 racing for prizes.

29 (16) Computers and communications equipment utilized for
30 any hospital purpose and equipment used in the diagnosis,
31 analysis, or treatment of hospital patients sold to a lessor
32 who leases the equipment, under a lease of one year or longer
33 executed or in effect at the time of the purchase, to a
34 hospital that has been issued an active tax exemption

1 identification number by the Department under Section 1g of
2 the Retailers' Occupation Tax Act.

3 (17) Personal property sold to a lessor who leases the
4 property, under a lease of one year or longer executed or in
5 effect at the time of the purchase, to a governmental body
6 that has been issued an active tax exemption identification
7 number by the Department under Section 1g of the Retailers'
8 Occupation Tax Act.

9 (18) Beginning with taxable years ending on or after
10 December 31, 1995 and ending with taxable years ending on or
11 before December 31, 2004, personal property that is donated
12 for disaster relief to be used in a State or federally
13 declared disaster area in Illinois or bordering Illinois by a
14 manufacturer or retailer that is registered in this State to
15 a corporation, society, association, foundation, or
16 institution that has been issued a sales tax exemption
17 identification number by the Department that assists victims
18 of the disaster who reside within the declared disaster area.

19 (19) Beginning with taxable years ending on or after
20 December 31, 1995 and ending with taxable years ending on or
21 before December 31, 2004, personal property that is used in
22 the performance of infrastructure repairs in this State,
23 including but not limited to municipal roads and streets,
24 access roads, bridges, sidewalks, waste disposal systems,
25 water and sewer line extensions, water distribution and
26 purification facilities, storm water drainage and retention
27 facilities, and sewage treatment facilities, resulting from a
28 State or federally declared disaster in Illinois or bordering
29 Illinois when such repairs are initiated on facilities
30 located in the declared disaster area within 6 months after
31 the disaster.

32 (20) Beginning July 1, 1999, game or game birds sold at
33 a "game breeding and hunting preserve area" or an "exotic
34 game hunting area" as those terms are used in the Wildlife

1 Code or at a hunting enclosure approved through rules adopted
2 by the Department of Natural Resources. This paragraph is
3 exempt from the provisions of Section 3-55.

4 (21) ~~(20)~~ A motor vehicle, as that term is defined in
5 Section 1-146 of the Illinois Vehicle Code, that is donated
6 to a corporation, limited liability company, society,
7 association, foundation, or institution that is determined by
8 the Department to be organized and operated exclusively for
9 educational purposes. For purposes of this exemption, "a
10 corporation, limited liability company, society, association,
11 foundation, or institution organized and operated exclusively
12 for educational purposes" means all tax-supported public
13 schools, private schools that offer systematic instruction in
14 useful branches of learning by methods common to public
15 schools and that compare favorably in their scope and
16 intensity with the course of study presented in tax-supported
17 schools, and vocational or technical schools or institutes
18 organized and operated exclusively to provide a course of
19 study of not less than 6 weeks duration and designed to
20 prepare individuals to follow a trade or to pursue a manual,
21 technical, mechanical, industrial, business, or commercial
22 occupation.

23 (22) ~~(21)~~ Beginning January 1, 2000, personal property,
24 including food, purchased through fundraising events for the
25 benefit of a public or private elementary or secondary
26 school, a group of those schools, or one or more school
27 districts if the events are sponsored by an entity recognized
28 by the school district that consists primarily of volunteers
29 and includes parents and teachers of the school children.
30 This paragraph does not apply to fundraising events (i) for
31 the benefit of private home instruction or (ii) for which the
32 fundraising entity purchases the personal property sold at
33 the events from another individual or entity that sold the
34 property for the purpose of resale by the fundraising entity

1 and that profits from the sale to the fundraising entity.
2 This paragraph is exempt from the provisions of Section 3-55.

3 (23) ~~(20)~~ Beginning January 1, 2000, new or used
4 automatic vending machines that prepare and serve hot food
5 and beverages, including coffee, soup, and other items, and
6 replacement parts for these machines. This paragraph is
7 exempt from the provisions of Section 3-55.

8 (Source: P.A. 90-14, eff. 7-1-97; 90-552, eff. 12-12-97;
9 90-605, eff. 6-30-98; 91-51, eff. 6-30-99; 91-200, eff.
10 7-20-99; 91-439, eff. 8-6-99; 91-533, eff. 8-13-99; 91-637,
11 eff. 8-20-99; 91-644, eff. 8-20-99; revised 9-29-99.)

12 Section 20. The Retailers' Occupation Tax Act is amended
13 by changing Sections 1g and 2-5 as follows:

14 (35 ILCS 120/1g) (from Ch. 120, par. 440g)

15 Sec. 1g. Application for exemption identification
16 number. On or before December 31, 1986, except as
17 hereinafter provided, each entity otherwise eligible under
18 exemption (11) of Section 2-5 of this Act and on and after
19 the effective date of this amendatory Act of the 92nd General
20 Assembly each entity otherwise eligible under exemption (9)
21 of Section 2-5 of this Act shall make application to the
22 Department for an exemption identification number. In the
23 case of a corporation, society, association, foundation, or
24 institution organized and operated exclusively for charitable
25 purposes and that has more than 50 subsidiary organizations
26 in Illinois, the Department, in its sole discretion, may
27 issue one exemption identification number to be used by the
28 parent organization and each subsidiary organization.

29 Each exemption identification number or renewal number
30 shall be valid for 5 years after the first day of the month
31 following the month of issuance. Not less than 3 months
32 before the expiration date, an application for renewal shall

1 be filed.

2 Each application for an exemption identification number
3 or a renewal number shall contain information and be
4 accompanied by documentation as shall be requested by the
5 Department.

6 (Source: P.A. 86-1475.)

7 (35 ILCS 120/2-5) (from Ch. 120, par. 441-5)

8 Sec. 2-5. Exemptions. Gross receipts from proceeds from
9 the sale of the following tangible personal property are
10 exempt from the tax imposed by this Act:

11 (1) Farm chemicals.

12 (2) Farm machinery and equipment, both new and used,
13 including that manufactured on special order, certified by
14 the purchaser to be used primarily for production agriculture
15 or State or federal agricultural programs, including
16 individual replacement parts for the machinery and equipment,
17 including machinery and equipment purchased for lease, and
18 including implements of husbandry defined in Section 1-130 of
19 the Illinois Vehicle Code, farm machinery and agricultural
20 chemical and fertilizer spreaders, and nurse wagons required
21 to be registered under Section 3-809 of the Illinois Vehicle
22 Code, but excluding other motor vehicles required to be
23 registered under the Illinois Vehicle Code. Horticultural
24 polyhouses or hoop houses used for propagating, growing, or
25 overwintering plants shall be considered farm machinery and
26 equipment under this item (2). Agricultural chemical tender
27 tanks and dry boxes shall include units sold separately from
28 a motor vehicle required to be licensed and units sold
29 mounted on a motor vehicle required to be licensed, if the
30 selling price of the tender is separately stated.

31 Farm machinery and equipment shall include precision
32 farming equipment that is installed or purchased to be
33 installed on farm machinery and equipment including, but not

1 limited to, tractors, harvesters, sprayers, planters,
2 seeders, or spreaders. Precision farming equipment includes,
3 but is not limited to, soil testing sensors, computers,
4 monitors, software, global positioning and mapping systems,
5 and other such equipment.

6 Farm machinery and equipment also includes computers,
7 sensors, software, and related equipment used primarily in
8 the computer-assisted operation of production agriculture
9 facilities, equipment, and activities such as, but not
10 limited to, the collection, monitoring, and correlation of
11 animal and crop data for the purpose of formulating animal
12 diets and agricultural chemicals. This item (7) is exempt
13 from the provisions of Section 2-70.

14 (3) Distillation machinery and equipment, sold as a unit
15 or kit, assembled or installed by the retailer, certified by
16 the user to be used only for the production of ethyl alcohol
17 that will be used for consumption as motor fuel or as a
18 component of motor fuel for the personal use of the user, and
19 not subject to sale or resale.

20 (4) Graphic arts machinery and equipment, including
21 repair and replacement parts, both new and used, and
22 including that manufactured on special order or purchased for
23 lease, certified by the purchaser to be used primarily for
24 graphic arts production.

25 (5) A motor vehicle of the first division, a motor
26 vehicle of the second division that is a self-contained motor
27 vehicle designed or permanently converted to provide living
28 quarters for recreational, camping, or travel use, with
29 direct walk through access to the living quarters from the
30 driver's seat, or a motor vehicle of the second division that
31 is of the van configuration designed for the transportation
32 of not less than 7 nor more than 16 passengers, as defined in
33 Section 1-146 of the Illinois Vehicle Code, that is used for
34 automobile renting, as defined in the Automobile Renting

1 Occupation and Use Tax Act.

2 (6) Personal property sold by a teacher-sponsored
3 student organization affiliated with an elementary or
4 secondary school located in Illinois.

5 (7) Proceeds of that portion of the selling price of a
6 passenger car the sale of which is subject to the Replacement
7 Vehicle Tax.

8 (8) Personal property sold to an Illinois county fair
9 association for use in conducting, operating, or promoting
10 the county fair.

11 (9) Personal property sold to a not-for-profit arts or
12 cultural organization that establishes, by proof required by
13 the Department by rule, that it has received an exemption
14 under Section 501(c)(3) of the Internal Revenue Code and that
15 is organized and operated primarily for the presentation or
16 support of arts or cultural programming, activities, or
17 services. These organizations include, but are not limited
18 to, music and dramatic arts organizations such as symphony
19 orchestras and theatrical groups, arts and cultural service
20 organizations, local arts councils, visual arts
21 organizations, and media arts organizations. On and after the
22 effective date of this amendatory Act of the 92nd General
23 Assembly, however, an entity otherwise eligible for this
24 exemption shall not make tax-free purchases unless it has an
25 active identification number issued by the Department.

26 (10) Personal property sold by a corporation, society,
27 association, foundation, institution, or organization, other
28 than a limited liability company, that is organized and
29 operated as a not-for-profit service enterprise for the
30 benefit of persons 65 years of age or older if the personal
31 property was not purchased by the enterprise for the purpose
32 of resale by the enterprise.

33 (11) Personal property sold to a governmental body, to a
34 corporation, society, association, foundation, or institution

1 organized and operated exclusively for charitable, religious,
2 or educational purposes, or to a not-for-profit corporation,
3 society, association, foundation, institution, or
4 organization that has no compensated officers or employees
5 and that is organized and operated primarily for the
6 recreation of persons 55 years of age or older. A limited
7 liability company may qualify for the exemption under this
8 paragraph only if the limited liability company is organized
9 and operated exclusively for educational purposes. On and
10 after July 1, 1987, however, no entity otherwise eligible for
11 this exemption shall make tax-free purchases unless it has an
12 active identification number issued by the Department.

13 (12) Personal property sold to interstate carriers for
14 hire for use as rolling stock moving in interstate commerce
15 or to lessors under leases of one year or longer executed or
16 in effect at the time of purchase by interstate carriers for
17 hire for use as rolling stock moving in interstate commerce
18 and equipment operated by a telecommunications provider,
19 licensed as a common carrier by the Federal Communications
20 Commission, which is permanently installed in or affixed to
21 aircraft moving in interstate commerce.

22 (13) Proceeds from sales to owners, lessors, or shippers
23 of tangible personal property that is utilized by interstate
24 carriers for hire for use as rolling stock moving in
25 interstate commerce and equipment operated by a
26 telecommunications provider, licensed as a common carrier by
27 the Federal Communications Commission, which is permanently
28 installed in or affixed to aircraft moving in interstate
29 commerce.

30 (14) Machinery and equipment that will be used by the
31 purchaser, or a lessee of the purchaser, primarily in the
32 process of manufacturing or assembling tangible personal
33 property for wholesale or retail sale or lease, whether the
34 sale or lease is made directly by the manufacturer or by some

1 other person, whether the materials used in the process are
2 owned by the manufacturer or some other person, or whether
3 the sale or lease is made apart from or as an incident to the
4 seller's engaging in the service occupation of producing
5 machines, tools, dies, jigs, patterns, gauges, or other
6 similar items of no commercial value on special order for a
7 particular purchaser.

8 (15) Proceeds of mandatory service charges separately
9 stated on customers' bills for purchase and consumption of
10 food and beverages, to the extent that the proceeds of the
11 service charge are in fact turned over as tips or as a
12 substitute for tips to the employees who participate directly
13 in preparing, serving, hosting or cleaning up the food or
14 beverage function with respect to which the service charge is
15 imposed.

16 (16) Petroleum products sold to a purchaser if the
17 seller is prohibited by federal law from charging tax to the
18 purchaser.

19 (17) Tangible personal property sold to a common carrier
20 by rail or motor that receives the physical possession of the
21 property in Illinois and that transports the property, or
22 shares with another common carrier in the transportation of
23 the property, out of Illinois on a standard uniform bill of
24 lading showing the seller of the property as the shipper or
25 consignor of the property to a destination outside Illinois,
26 for use outside Illinois.

27 (18) Legal tender, currency, medallions, or gold or
28 silver coinage issued by the State of Illinois, the
29 government of the United States of America, or the government
30 of any foreign country, and bullion.

31 (19) Oil field exploration, drilling, and production
32 equipment, including (i) rigs and parts of rigs, rotary rigs,
33 cable tool rigs, and workover rigs, (ii) pipe and tubular
34 goods, including casing and drill strings, (iii) pumps and

1 pump-jack units, (iv) storage tanks and flow lines, (v) any
2 individual replacement part for oil field exploration,
3 drilling, and production equipment, and (vi) machinery and
4 equipment purchased for lease; but excluding motor vehicles
5 required to be registered under the Illinois Vehicle Code.

6 (20) Photoprocessing machinery and equipment, including
7 repair and replacement parts, both new and used, including
8 that manufactured on special order, certified by the
9 purchaser to be used primarily for photoprocessing, and
10 including photoprocessing machinery and equipment purchased
11 for lease.

12 (21) Coal exploration, mining, offhighway hauling,
13 processing, maintenance, and reclamation equipment, including
14 replacement parts and equipment, and including equipment
15 purchased for lease, but excluding motor vehicles required to
16 be registered under the Illinois Vehicle Code.

17 (22) Fuel and petroleum products sold to or used by an
18 air carrier, certified by the carrier to be used for
19 consumption, shipment, or storage in the conduct of its
20 business as an air common carrier, for a flight destined for
21 or returning from a location or locations outside the United
22 States without regard to previous or subsequent domestic
23 stopovers.

24 (23) A transaction in which the purchase order is
25 received by a florist who is located outside Illinois, but
26 who has a florist located in Illinois deliver the property to
27 the purchaser or the purchaser's donee in Illinois.

28 (24) Fuel consumed or used in the operation of ships,
29 barges, or vessels that are used primarily in or for the
30 transportation of property or the conveyance of persons for
31 hire on rivers bordering on this State if the fuel is
32 delivered by the seller to the purchaser's barge, ship, or
33 vessel while it is afloat upon that bordering river.

34 (25) A motor vehicle sold in this State to a nonresident

1 even though the motor vehicle is delivered to the nonresident
2 in this State, if the motor vehicle is not to be titled in
3 this State, and if a driveaway decal permit is issued to the
4 motor vehicle as provided in Section 3-603 of the Illinois
5 Vehicle Code or if the nonresident purchaser has vehicle
6 registration plates to transfer to the motor vehicle upon
7 returning to his or her home state. The issuance of the
8 driveaway decal permit or having the out-of-state
9 registration plates to be transferred is prima facie evidence
10 that the motor vehicle will not be titled in this State.

11 (26) Semen used for artificial insemination of livestock
12 for direct agricultural production.

13 (27) Horses, or interests in horses, registered with and
14 meeting the requirements of any of the Arabian Horse Club
15 Registry of America, Appaloosa Horse Club, American Quarter
16 Horse Association, United States Trotting Association, or
17 Jockey Club, as appropriate, used for purposes of breeding or
18 racing for prizes.

19 (28) Computers and communications equipment utilized for
20 any hospital purpose and equipment used in the diagnosis,
21 analysis, or treatment of hospital patients sold to a lessor
22 who leases the equipment, under a lease of one year or longer
23 executed or in effect at the time of the purchase, to a
24 hospital that has been issued an active tax exemption
25 identification number by the Department under Section 1g of
26 this Act.

27 (29) Personal property sold to a lessor who leases the
28 property, under a lease of one year or longer executed or in
29 effect at the time of the purchase, to a governmental body
30 that has been issued an active tax exemption identification
31 number by the Department under Section 1g of this Act.

32 (30) Beginning with taxable years ending on or after
33 December 31, 1995 and ending with taxable years ending on or
34 before December 31, 2004, personal property that is donated

1 for disaster relief to be used in a State or federally
2 declared disaster area in Illinois or bordering Illinois by a
3 manufacturer or retailer that is registered in this State to
4 a corporation, society, association, foundation, or
5 institution that has been issued a sales tax exemption
6 identification number by the Department that assists victims
7 of the disaster who reside within the declared disaster area.

8 (31) Beginning with taxable years ending on or after
9 December 31, 1995 and ending with taxable years ending on or
10 before December 31, 2004, personal property that is used in
11 the performance of infrastructure repairs in this State,
12 including but not limited to municipal roads and streets,
13 access roads, bridges, sidewalks, waste disposal systems,
14 water and sewer line extensions, water distribution and
15 purification facilities, storm water drainage and retention
16 facilities, and sewage treatment facilities, resulting from a
17 State or federally declared disaster in Illinois or bordering
18 Illinois when such repairs are initiated on facilities
19 located in the declared disaster area within 6 months after
20 the disaster.

21 (32) Beginning July 1, 1999, game or game birds sold at
22 a "game breeding and hunting preserve area" or an "exotic
23 game hunting area" as those terms are used in the Wildlife
24 Code or at a hunting enclosure approved through rules adopted
25 by the Department of Natural Resources. This paragraph is
26 exempt from the provisions of Section 2-70.

27 (33) ~~(32)~~ A motor vehicle, as that term is defined in
28 Section 1-146 of the Illinois Vehicle Code, that is donated
29 to a corporation, limited liability company, society,
30 association, foundation, or institution that is determined by
31 the Department to be organized and operated exclusively for
32 educational purposes. For purposes of this exemption, "a
33 corporation, limited liability company, society, association,
34 foundation, or institution organized and operated exclusively

1 for educational purposes" means all tax-supported public
2 schools, private schools that offer systematic instruction in
3 useful branches of learning by methods common to public
4 schools and that compare favorably in their scope and
5 intensity with the course of study presented in tax-supported
6 schools, and vocational or technical schools or institutes
7 organized and operated exclusively to provide a course of
8 study of not less than 6 weeks duration and designed to
9 prepare individuals to follow a trade or to pursue a manual,
10 technical, mechanical, industrial, business, or commercial
11 occupation.

12 (34) ~~(33)~~ Beginning January 1, 2000, personal property,
13 including food, purchased through fundraising events for the
14 benefit of a public or private elementary or secondary
15 school, a group of those schools, or one or more school
16 districts if the events are sponsored by an entity recognized
17 by the school district that consists primarily of volunteers
18 and includes parents and teachers of the school children.
19 This paragraph does not apply to fundraising events (i) for
20 the benefit of private home instruction or (ii) for which the
21 fundraising entity purchases the personal property sold at
22 the events from another individual or entity that sold the
23 property for the purpose of resale by the fundraising entity
24 and that profits from the sale to the fundraising entity.
25 This paragraph is exempt from the provisions of Section 2-70.

26 (35) ~~(32)~~ Beginning January 1, 2000, new or used
27 automatic vending machines that prepare and serve hot food
28 and beverages, including coffee, soup, and other items, and
29 replacement parts for these machines. This paragraph is
30 exempt from the provisions of Section 2-70.

31 (Source: P.A. 90-14, eff. 7-1-97; 90-519, eff. 6-1-98;
32 90-552, eff. 12-12-97; 90-605, eff. 6-30-98; 91-51, eff.
33 6-30-99; 91-200, eff. 7-20-99; 91-439, eff. 8-6-99; 91-533,
34 eff. 8-13-99; 91-637, eff. 8-20-99; 91-644, eff. 8-20-99;

1 revised 9-28-99.)

2 Section 99. Effective date. This Act takes effect on

3 July 1, 2001.