

AN ACT concerning manufactured home dealers.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Illinois Income Tax Act is amended by changing Section 917 as follows:

(35 ILCS 5/917) (from Ch. 120, par. 9-917)

Sec. 917. Confidentiality and information sharing.

(a) Confidentiality. Except as provided in this Section, all information received by the Department from returns filed under this Act, or from any investigation conducted under the provisions of this Act, shall be confidential, except for official purposes within the Department or pursuant to official procedures for collection of any State tax or pursuant to an investigation or audit by the Illinois State Scholarship Commission of a delinquent student loan or monetary award or enforcement of any civil or criminal penalty or sanction imposed by this Act or by another statute imposing a State tax, and any person who divulges any such information in any manner, except for such purposes and pursuant to order of the Director or in accordance with a proper judicial order, shall be guilty of a Class A misdemeanor. However, the provisions of this paragraph are not applicable to information furnished to (i) the Department of Healthcare and Family

Services (formerly Department of Public Aid), State's Attorneys, and the Attorney General for child support enforcement purposes and (ii) a licensed attorney representing the taxpayer where an appeal or a protest has been filed on behalf of the taxpayer. If it is necessary to file information obtained pursuant to this Act in a child support enforcement proceeding, the information shall be filed under seal. The furnishing upon request of the Auditor General, or his or her authorized agents, for official use of returns filed and information related thereto under this Act is deemed to be an official purpose within the Department within the meaning of this Section.

(b) Public information. Nothing contained in this Act shall prevent the Director from publishing or making available to the public the names and addresses of persons filing returns under this Act, or from publishing or making available reasonable statistics concerning the operation of the tax wherein the contents of returns are grouped into aggregates in such a way that the information contained in any individual return shall not be disclosed.

(c) Governmental agencies. The Director may make available to the Secretary of the Treasury of the United States or his delegate, or the proper officer or his delegate of any other state imposing a tax upon or measured by income, for exclusively official purposes, information received by the Department in the administration of this Act, but such

permission shall be granted only if the United States or such other state, as the case may be, grants the Department substantially similar privileges. The Director may exchange information with the Department of Healthcare and Family Services and the Department of Human Services (acting as successor to the Department of Public Aid under the Department of Human Services Act) for the purpose of verifying sources and amounts of income and for other purposes directly connected with the administration of this Act, the Illinois Public Aid Code, and any other health benefit program administered by the State. The Director may exchange information with the Director of the Department of Employment Security for the purpose of verifying sources and amounts of income and for other purposes directly connected with the administration of this Act and Acts administered by the Department of Employment Security. The Director may make available to the Illinois Workers' Compensation Commission information regarding employers for the purpose of verifying the insurance coverage required under the Workers' Compensation Act and Workers' Occupational Diseases Act. The Director may exchange information with the Illinois Department on Aging for the purpose of verifying sources and amounts of income for purposes directly related to confirming eligibility for participation in the programs of benefits authorized by the Senior Citizens and Persons with Disabilities Property Tax Relief and Pharmaceutical Assistance Act. The Director may

exchange information with the State Treasurer's Office and the Department of Employment Security for the purpose of implementing, administering, and enforcing the Illinois Secure Choice Savings Program Act. The Director may exchange information with the State Treasurer's Office for the purpose of administering the Revised Uniform Unclaimed Property Act or successor Acts. The Director may make information available to the Secretary of State for the purpose of administering Section 5-901 of the Illinois Vehicle Code. The Director may exchange information with the State Treasurer's Office for the purpose of administering the Illinois Higher Education Savings Program established under Section 16.8 of the State Treasurer Act.

The Director may make available to any State agency, including the Illinois Supreme Court, which licenses persons to engage in any occupation, information that a person licensed by such agency has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. The Director may make available to any State agency, including the Illinois Supreme Court, information regarding whether a bidder, contractor, or an affiliate of a bidder or contractor has failed to file returns under this Act or pay the tax, penalty, and interest shown therein, or has failed to pay any final assessment of tax, penalty, or interest due under this Act, for the limited

purpose of enforcing bidder and contractor certifications. For purposes of this Section, the term "affiliate" means any entity that (1) directly, indirectly, or constructively controls another entity, (2) is directly, indirectly, or constructively controlled by another entity, or (3) is subject to the control of a common entity. For purposes of this subsection (a), an entity controls another entity if it owns, directly or individually, more than 10% of the voting securities of that entity. As used in this subsection (a), the term "voting security" means a security that (1) confers upon the holder the right to vote for the election of members of the board of directors or similar governing body of the business or (2) is convertible into, or entitles the holder to receive upon its exercise, a security that confers such a right to vote. A general partnership interest is a voting security.

The Director may make available to any State agency, including the Illinois Supreme Court, units of local government, and school districts, information regarding whether a bidder or contractor is an affiliate of a person who is not collecting and remitting Illinois Use taxes, for the limited purpose of enforcing bidder and contractor certifications.

The Director may also make available to the Secretary of State information that a corporation which has been issued a certificate of incorporation by the Secretary of State has failed to file returns under this Act or pay the tax, penalty

and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. An assessment is final when all proceedings in court for review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted. For taxable years ending on or after December 31, 1987, the Director may make available to the Director or principal officer of any Department of the State of Illinois, information that a person employed by such Department has failed to file returns under this Act or pay the tax, penalty and interest shown therein. For purposes of this paragraph, the word "Department" shall have the same meaning as provided in Section 3 of the State Employees Group Insurance Act of 1971.

(d) The Director shall make available for public inspection in the Department's principal office and for publication, at cost, administrative decisions issued on or after January 1, 1995. These decisions are to be made available in a manner so that the following taxpayer information is not disclosed:

(1) The names, addresses, and identification numbers of the taxpayer, related entities, and employees.

(2) At the sole discretion of the Director, trade secrets or other confidential information identified as such by the taxpayer, no later than 30 days after receipt of an administrative decision, by such means as the

Department shall provide by rule.

The Director shall determine the appropriate extent of the deletions allowed in paragraph (2). In the event the taxpayer does not submit deletions, the Director shall make only the deletions specified in paragraph (1).

The Director shall make available for public inspection and publication an administrative decision within 180 days after the issuance of the administrative decision. The term "administrative decision" has the same meaning as defined in Section 3-101 of Article III of the Code of Civil Procedure. Costs collected under this Section shall be paid into the Tax Compliance and Administration Fund.

(e) Nothing contained in this Act shall prevent the Director from divulging information to any person pursuant to a request or authorization made by the taxpayer, by an authorized representative of the taxpayer, or, in the case of information related to a joint return, by the spouse filing the joint return with the taxpayer.

(Source: P.A. 102-61, eff. 7-9-21; 102-129, eff. 7-23-21; revised 8-10-21.)

Section 10. The Retailers' Occupation Tax Act is amended by changing Section 11 as follows:

(35 ILCS 120/11) (from Ch. 120, par. 450)

Sec. 11. All information received by the Department from

returns filed under this Act, or from any investigation conducted under this Act, shall be confidential, except for official purposes, and any person, including a third party as defined in the Local Government Revenue Recapture Act, who divulges any such information in any manner, except in accordance with a proper judicial order or as otherwise provided by law, including the Local Government Revenue Recapture Act, shall be guilty of a Class B misdemeanor with a fine not to exceed \$7,500.

Nothing in this Act prevents the Director of Revenue from publishing or making available to the public the names and addresses of persons filing returns under this Act, or reasonable statistics concerning the operation of the tax by grouping the contents of returns so the information in any individual return is not disclosed.

Nothing in this Act prevents the Director of Revenue from divulging to the United States Government or the government of any other state, or any officer or agency thereof, for exclusively official purposes, information received by the Department in administering this Act, provided that such other governmental agency agrees to divulge requested tax information to the Department.

The Department's furnishing of information derived from a taxpayer's return or from an investigation conducted under this Act to the surety on a taxpayer's bond that has been furnished to the Department under this Act, either to provide

notice to such surety of its potential liability under the bond or, in order to support the Department's demand for payment from such surety under the bond, is an official purpose within the meaning of this Section.

The furnishing upon request of information obtained by the Department from returns filed under this Act or investigations conducted under this Act to the Illinois Liquor Control Commission for official use is deemed to be an official purpose within the meaning of this Section.

Notice to a surety of potential liability shall not be given unless the taxpayer has first been notified, not less than 10 days prior thereto, of the Department's intent to so notify the surety.

The furnishing upon request of the Auditor General, or his authorized agents, for official use, of returns filed and information related thereto under this Act is deemed to be an official purpose within the meaning of this Section.

Where an appeal or a protest has been filed on behalf of a taxpayer, the furnishing upon request of the attorney for the taxpayer of returns filed by the taxpayer and information related thereto under this Act is deemed to be an official purpose within the meaning of this Section.

The furnishing of financial information to a municipality or county, upon request of the chief executive officer thereof, is an official purpose within the meaning of this Section, provided the municipality or county agrees in writing

to the requirements of this Section. Information provided to municipalities and counties under this paragraph shall be limited to: (1) the business name; (2) the business address; (3) the standard classification number assigned to the business; (4) net revenue distributed to the requesting municipality or county that is directly related to the requesting municipality's or county's local share of the proceeds under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act distributed from the Local Government Tax Fund, and, if applicable, any locally imposed retailers' occupation tax or service occupation tax; and (5) a listing of all businesses within the requesting municipality or county by account identification number and address. On and after July 1, 2015, the furnishing of financial information to municipalities and counties under this paragraph may be by electronic means. If the Department may furnish financial information to a municipality or county under this paragraph, then the chief executive officer of the municipality or county may, in turn, provide that financial information to a third party pursuant to the Local Government Revenue Recapture Act. However, the third party shall agree in writing to the requirements of this Section and meet the requirements of the Local Government Revenue Recapture Act.

Information so provided shall be subject to all confidentiality provisions of this Section. The written

agreement shall provide for reciprocity, limitations on access, disclosure, and procedures for requesting information. For the purposes of furnishing financial information to a municipality or county under this Section, "chief executive officer" means the mayor of a city, the village board president of a village, the mayor or president of an incorporated town, the county executive of a county that has adopted the county executive form of government, the president of the board of commissioners of Cook County, or the chairperson of the county board or board of county commissioners of any other county.

The Department may make available to the Board of Trustees of any Metro East Mass Transit District information contained on transaction reporting returns required to be filed under Section 3 of this Act that report sales made within the boundary of the taxing authority of that Metro East Mass Transit District, as provided in Section 5.01 of the Local Mass Transit District Act. The disclosure shall be made pursuant to a written agreement between the Department and the Board of Trustees of a Metro East Mass Transit District, which is an official purpose within the meaning of this Section. The written agreement between the Department and the Board of Trustees of a Metro East Mass Transit District shall provide for reciprocity, limitations on access, disclosure, and procedures for requesting information. Information so provided shall be subject to all confidentiality provisions of this

Section.

The Director may make available to any State agency, including the Illinois Supreme Court, which licenses persons to engage in any occupation, information that a person licensed by such agency has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. The Director may make available to any State agency, including the Illinois Supreme Court, information regarding whether a bidder, contractor, or an affiliate of a bidder or contractor has failed to collect and remit Illinois Use tax on sales into Illinois, or any tax under this Act or pay the tax, penalty, and interest shown therein, or has failed to pay any final assessment of tax, penalty, or interest due under this Act, for the limited purpose of enforcing bidder and contractor certifications. The Director may make available to units of local government and school districts that require bidder and contractor certifications, as set forth in Sections 50-11 and 50-12 of the Illinois Procurement Code, information regarding whether a bidder, contractor, or an affiliate of a bidder or contractor has failed to collect and remit Illinois Use tax on sales into Illinois, file returns under this Act, or pay the tax, penalty, and interest shown therein, or has failed to pay any final assessment of tax, penalty, or interest due under this Act, for the limited purpose of enforcing bidder and

contractor certifications. For purposes of this Section, the term "affiliate" means any entity that (1) directly, indirectly, or constructively controls another entity, (2) is directly, indirectly, or constructively controlled by another entity, or (3) is subject to the control of a common entity. For purposes of this Section, an entity controls another entity if it owns, directly or individually, more than 10% of the voting securities of that entity. As used in this Section, the term "voting security" means a security that (1) confers upon the holder the right to vote for the election of members of the board of directors or similar governing body of the business or (2) is convertible into, or entitles the holder to receive upon its exercise, a security that confers such a right to vote. A general partnership interest is a voting security.

The Director may make available to any State agency, including the Illinois Supreme Court, units of local government, and school districts, information regarding whether a bidder or contractor is an affiliate of a person who is not collecting and remitting Illinois Use taxes for the limited purpose of enforcing bidder and contractor certifications.

The Director may also make available to the Secretary of State information that a limited liability company, which has filed articles of organization with the Secretary of State, or corporation which has been issued a certificate of

incorporation by the Secretary of State has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. An assessment is final when all proceedings in court for review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted.

The Director shall make available for public inspection in the Department's principal office and for publication, at cost, administrative decisions issued on or after January 1, 1995. These decisions are to be made available in a manner so that the following taxpayer information is not disclosed:

(1) The names, addresses, and identification numbers of the taxpayer, related entities, and employees.

(2) At the sole discretion of the Director, trade secrets or other confidential information identified as such by the taxpayer, no later than 30 days after receipt of an administrative decision, by such means as the Department shall provide by rule.

The Director shall determine the appropriate extent of the deletions allowed in paragraph (2). In the event the taxpayer does not submit deletions, the Director shall make only the deletions specified in paragraph (1).

The Director shall make available for public inspection and publication an administrative decision within 180 days after the issuance of the administrative decision. The term

"administrative decision" has the same meaning as defined in Section 3-101 of Article III of the Code of Civil Procedure. Costs collected under this Section shall be paid into the Tax Compliance and Administration Fund.

Nothing contained in this Act shall prevent the Director from divulging information to any person pursuant to a request or authorization made by the taxpayer or by an authorized representative of the taxpayer.

The furnishing of information obtained by the Department from returns filed under Public Act 101-10 to the Department of Transportation for purposes of compliance with Public Act 101-10 regarding aviation fuel is deemed to be an official purpose within the meaning of this Section.

The Director may make information available to the Secretary of State for the purpose of administering Section 5-901 of the Illinois Vehicle Code.

(Source: P.A. 101-10, eff. 6-5-19; 101-628, eff. 6-1-20; 102-558, eff. 8-20-21.)

Section 10. The Illinois Vehicle Code is amended by adding Article IX to Chapter 5 as follows:

(625 ILCS 5/Ch. 5 Art. IX heading new)

ARTICLE IX. MANUFACTURED HOME DEALERS

(625 ILCS 5/5-901 new)

Sec. 5-901. Regulation of manufactured home dealers.

(a) As used in this Article:

"Established place of business" means the place owned or leased and occupied by any person duly licensed or required to be licensed as a manufactured home dealer for the purpose of engaging in selling, buying, bartering, displaying, exchanging, or dealing in, on consignment or otherwise, manufactured homes and for such other ancillary purposes as may be permitted by the Secretary by rule.

"Manufactured home" means a factory-assembled structure built on a permanent chassis, transportable in one or more sections in the travel mode, incapable of self-propulsion, bears a label indicating the manufacturer's compliance with the United States Department of Housing and Urban Development standards, as applicable, and is designed for year-round occupancy as a single-family residence when connected to approved water, sewer, and electrical utilities.

"Manufactured home dealer" means: (1) an individual or entity that engages in the business of acquiring or disposing of new or used manufactured homes; (2) an individual or entity who advertises or otherwise holds the individual or the entity out as being engaged in the business of acquiring or selling new or used manufactured homes; or (3) an individual or entity who buys or sells more than 2 new or used manufactured homes within a 12-month period.

(b) No person shall engage in this State in the business of

selling or dealing in, on consignment or otherwise, manufactured homes of any make, or act as an intermediary, agent, or broker for any manufactured home purchaser, other than as a salesperson, or to represent or advertise that he or she is so engaged, or intends to so engage, in the business, unless licensed to do so by the Secretary of State under this Section.

(c) An application for a manufactured home dealer's license shall be filed with the Secretary of State Vehicle Services Department and duly verified by oath, on such form as the Secretary of State may prescribe, and shall contain all of the following:

(1) The name and type of business organization of the applicant, and his or her established place of business in this State.

(2) If the applicant is a corporation, a list of its officers, directors, and shareholders having a 10% or greater ownership interest in the corporation. If the applicant is a sole proprietorship, a partnership, a limited liability company, an unincorporated association, a trust, or any similar form of business organization, the name and residence address of the proprietor, or the name and residence address of each partner, member, officer, director, trustee, or manager.

(3) A statement that the applicant has been approved for registration under the Retailers' Occupation Tax Act

by the Department of Revenue, except that this requirement does not apply to a manufactured home dealer who is already licensed with the Secretary of State, and who is only applying for a renewal of his or her license. As evidence of this fact, the application shall be accompanied by a certification from the Department of Revenue showing that the Department has approved the applicant for registration under the Retailers' Occupation Tax Act.

(4) An application for a manufactured home dealer's license shall be accompanied by a \$1,000 license fee for the applicant's established place of business. If the application is made after June 15 of any year, the license fee shall be \$500 for the applicant's established place of business. License fees shall be returnable only if the application is denied by the Secretary of State.

Of the money received by the Secretary of State as license fees under this paragraph (4), 95% shall be deposited into the General Revenue Fund and 5% into the Motor Vehicle License Plate Fund.

(5) A statement that no officer, director, shareholder having a 10% or greater ownership interest, proprietor, partner, member, officer, director, trustee, manager, or other principal in the business of the applicant has committed in the past 3 years any violation, as determined in any civil, criminal, or administrative hearing

proceeding, of any one of the following Acts:

(A) the Anti-Theft Laws of this Code;

(B) the Certificate of Title Laws of this Code;

(C) the Offenses against Registration and
Certificates of Title Laws of this Code;

(D) the Dealers, Transporters, Wreckers, and
Rebuilders Laws of this Code;

(E) Section 21-2 of the Criminal Code of 2012,
criminal trespass to vehicles;

(F) the Retailers' Occupation Tax Act;

(G) the Consumer Installment Loan Act;

(H) the Retail Installment Sales Act;

(I) the Interest Act;

(J) the Illinois Wage Assignment Act;

(K) Part 8 of Article XII of the Code of Civil
Procedure; or

(L) the Consumer Fraud and Deceptive Business
Practices Act.

(6) A bond or certificate of deposit in the amount of
\$150,000 for each license holder applicant intending to
act as a manufactured home dealer under this Section. The
bond shall be for the term of the license for which
application is made and shall expire not sooner than
December 31st of the year for which the license was
issued. The bond shall run to the People of the State of
Illinois and to customers asserting financial claims

against the dealer, with surety by a bonding or insurance company authorized to do business in this State. It shall be conditioned upon the proper transmittal of all title and registration fees and taxes (excluding taxes under the Retailers' Occupation Tax Act) accepted by the applicant as a manufactured home dealer, and the execution of all of the dealer's obligations to the customer, including financial duties related to the acceptance and disbursement of any funds paid to the dealer by the customer, and conveyance of possession or ownership documents of a manufactured home.

(7) Dealers in business for over 10 years may substitute a certificate of insurance in lieu of the bond or certificate of deposit upon renewing their license.

(8) Any other information concerning the business of the applicant as the Secretary of State may by rule prescribe.

(d) Any change that renders no longer accurate any information contained in any application for a license under this Section shall be amended within 30 days after the occurrence of the change on a form the Secretary of State may prescribe, by rule, accompanied by an amendatory fee of \$25.

(e) The Secretary of State shall, within a reasonable time after receipt, examine an application submitted under this Section, and unless the Secretary makes a determination that the application submitted does not conform with the

requirements of this Section or that grounds exist for a denial of the application under subsection (f), grant the applicant an initial manufactured home dealer's license in writing for the established place of business of the applicant in a form the Secretary may prescribe by rule, which shall include the following:

(1) the name of the person or entity licensed;

(2) if a corporation, the name and address of its officers; if a sole proprietorship, a partnership, an unincorporated association, or any similar form of business organization, the name and address of the proprietor, or the name and address of each partner, member, officer, director, trustee or manager; or if a limited liability company, the name and address of the general partner or partners, or managing member or members; and

(3) the established place of business of the licensee.

(f) A license issued under this Section may be denied, revoked, or suspended if the Secretary of State finds that the applicant, or the officer, director, shareholder having a 10% or greater ownership interest in the corporation, owner, partner, trustee, manager, employee or the licensee has:

(1) violated this Section;

(2) made any material misrepresentation to the Secretary of State in connection with an application for a license, title, or registration;

(3) committed a fraudulent act in connection with selling, bartering, exchanging, offering for sale, or otherwise dealing in manufactured homes;

(4) not maintained an established place of business as defined in this Section;

(5) failed to file or produce to the Secretary of State any application, report, document, or other pertinent books, records, documents, letters, contracts required to be filed or produced under this Section or any rule adopted by the Secretary of State pursuant to this Section;

(6) failed to pay any fees or taxes due under this Code, or has failed to transmit any fees or taxes received by him or her for transmittal by him or her to the Secretary of State or the State of Illinois;

(7) failed to transfer title to a manufactured home when legally required to do so; or

(8) violated any of the following:

(A) the Anti-Theft Laws of this Code;

(B) the Certificate of Title Laws of this Code;

(C) the Offenses against Registration and Certificates of Title Laws of this Code;

(D) the Dealers, Transporters, Wreckers, and Rebuilders Laws of this Code;

(E) Section 21-2 of the Criminal Code of 2012, criminal trespass to vehicles;

(F) the Retailers' Occupation Tax Act;

(G) the Consumer Installment Loan Act;

(H) the Retail Installment Sales Act;

(I) the Interest Act;

(J) the Illinois Wage Assignment Act;

(K) Part 8 of Article XII of the Code of Civil Procedure; or

(L) the Consumer Fraud and Deceptive Business Practices Act.

(g) In addition to other grounds specified in this Section, the Secretary of State, on complaint of the Department of Revenue, shall refuse the issuance or renewal of a license, or suspend or revoke such a license, for any of the following violations of the Retailers' Occupation Tax Act, the tax imposed on corporations under subsection (b) of Section 201 of the Illinois Income Tax Act, the Personal Property Tax Replacement Income Tax imposed under subsections (c) and (d) of Section 201 of the Illinois Income Tax Act, or the tax imposed under Section 704A of the Illinois Income Tax Act:

(1) failure to make a tax return;

(2) the filing of a fraudulent return;

(3) failure to pay all or part of any tax or penalty finally determined to be due;

(4) failure to comply with the bonding requirements of the Retailers' Occupation Tax Act.

(h) A license issued under this Section may be canceled by

the Secretary of State prior to its expiration in any of the following situations:

(1) if a license is voluntarily surrendered by the licensed person;

(2) if the business enterprise is a sole proprietorship and the sole proprietor dies or is imprisoned for any period exceeding 30 days; or

(3) if the license was issued to the wrong person or corporation or contains an error on its face.

If any person whose license has been canceled wishes to apply for another license, whether during the same license year or any other year, that person shall be treated as a new applicant and the cancellation of the person's prior license shall not, in and of itself, be a bar to the issuance of a new license.

(i) A license issued under this Section may be canceled without a hearing if the Secretary of State is notified that the applicant, or any officer, director, shareholder having a 10% or greater ownership interest, owner, partner, trustee, manager, employee, or member of the applicant or the licensee has been convicted of any forcible felony or any felony involving the selling, bartering, exchanging, offering for sale, or otherwise dealing in ownership documents relating to any of the above actions.

(j) The appropriate instrument evidencing the license or a certified copy of the instrument, provided by the Secretary of

State, shall be kept posted conspicuously in the established place of business of the licensee.

(k) All records related to the purchase, sale, or acceptance for sale on consignment of any manufactured home shall be maintained at the licensee's established place of business. These records shall be retained for a period of not less than 7 years, and shall be made available for inspection upon the request of a Secretary of State auditor or an investigator with the Secretary of State Department of Police.

(l) Except as provided in subsection (i), all licenses granted under this Section shall expire by operation of law on December 31st of the calendar year for which the licenses were granted, unless sooner revoked or canceled under subsection (f).

(m) Each person licensed as a manufactured home dealer is required to furnish each purchaser of a manufactured home:

(1) in the case of a new manufactured home, a manufacturer's statement of origin, and in the case of a previously owned manufactured home, a certificate of title, in either case properly assigned to the purchaser;

(2) a statement verified under oath that all identifying numbers on the vehicle match the identifying numbers on the certificate of title or manufacturer's statement of origin;

(3) a bill of sale properly executed on behalf of the purchaser; and

(4) for a new manufactured home, a warranty, and in the case of a manufactured home for which the warranty has been reinstated, a copy of the warranty; if no warranty is provided, a disclosure or statement that the manufactured home is being sold "AS IS".

(n) This Section does not apply to a seller who privately owns his or her manufactured home as his or her main residence and is selling the manufactured home to another individual or to a licensee so long as that individual does not sell more than 2 manufactured homes in one 12-month period.

(o) This Section does not apply to any person licensed under the Real Estate License Act of 2000.

(p) The Secretary of State may adopt any rules necessary to implement this Section.

(q) Any individual or entity licensed as a manufactured home dealer or a community-based manufactured home dealer on the effective date of this Section shall be entitled to act as a manufactured home dealer under this Section for the duration of any license in effect on the effective date of this amendatory Act of the 102nd General Assembly, and shall be eligible to be issued a manufactured home dealer's license under this Section upon the expiration of any such license.

(625 ILCS 5/5-101.2 rep.)

Section 15. The Illinois Vehicle Code is amended by repealing Section 5-101.2.

Public Act 102-0941

HB4639 Enrolled

LRB102 23835 RAM 33027 b

Section 99. Effective date. This Act takes effect July 1,
2022.