

1 AN ACT concerning taxes.

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

4 Section 5. The Illinois Income Tax Act is amended by
5 adding Section 213 as follows:

6 (35 ILCS 5/213 new)

7 Sec. 213. Tax credit for reinforced steel gun safe
8 purchase. For taxable years beginning on or after January 1,
9 2002 and ending on or before December 31, 2005, each taxpayer
10 is entitled to a credit against the tax imposed by
11 subsections (a) and (b) of Section 201 in an amount equal 25%
12 of the amount expended in the taxable year for the purchase
13 of reinforced steel gun safes used to store firearms or
14 ammunition, up to a maximum credit of \$250 in a taxable year.

15 Section 10. The Use Tax Act is amended by changing
16 Section 3-5 as follows:

17 (35 ILCS 105/3-5) (from Ch. 120, par. 439.3-5)

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

20 (1) Personal property purchased from a corporation,
21 society, association, foundation, institution, or
22 organization, other than a limited liability company, that is
23 organized and operated as a not-for-profit service enterprise
24 for the benefit of persons 65 years of age or older if the
25 personal property was not purchased by the enterprise for the
26 purpose of resale by the enterprise.

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

1 (3) Personal property purchased by a not-for-profit arts
2 or cultural organization that establishes, by proof required
3 by the Department by rule, that it has received an exemption
4 under Section 501(c)(3) of the Internal Revenue Code and that
5 is organized and operated for the presentation or support of
6 arts or cultural programming, activities, or services. These
7 organizations include, but are not limited to, music and
8 dramatic arts organizations such as symphony orchestras and
9 theatrical groups, arts and cultural service organizations,
10 local arts councils, visual arts organizations, and media
11 arts organizations.

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

27 (5) A passenger car that is a replacement vehicle to the
28 extent that the purchase price of the car is subject to the
29 Replacement Vehicle Tax.

30 (6) Graphic arts machinery and equipment, including
31 repair and replacement parts, both new and used, and
32 including that manufactured on special order, certified by
33 the purchaser to be used primarily for graphic arts
34 production, and including machinery and equipment purchased

1 for lease.

2 (7) Farm chemicals.

3 (8) Legal tender, currency, medallions, or gold or
4 silver coinage issued by the State of Illinois, the
5 government of the United States of America, or the government
6 of any foreign country, and bullion.

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

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

21 (11) Farm machinery and equipment, both new and used,
22 including that manufactured on special order, certified by
23 the purchaser to be used primarily for production agriculture
24 or State or federal agricultural programs, including
25 individual replacement parts for the machinery and equipment,
26 including machinery and equipment purchased for lease, and
27 including implements of husbandry defined in Section 1-130 of
28 the Illinois Vehicle Code, farm machinery and agricultural
29 chemical and fertilizer spreaders, and nurse wagons required
30 to be registered under Section 3-809 of the Illinois Vehicle
31 Code, but excluding other motor vehicles required to be
32 registered under the Illinois Vehicle Code. Horticultural
33 polyhouses or hoop houses used for propagating, growing, or
34 overwintering plants shall be considered farm machinery and

1 equipment under this item (11). Agricultural chemical tender
2 tanks and dry boxes shall include units sold separately from
3 a motor vehicle required to be licensed and units sold
4 mounted on a motor vehicle required to be licensed if the
5 selling price of the tender is separately stated.

6 Farm machinery and equipment shall include precision
7 farming equipment that is installed or purchased to be
8 installed on farm machinery and equipment including, but not
9 limited to, tractors, harvesters, sprayers, planters,
10 seeders, or spreaders. Precision farming equipment includes,
11 but is not limited to, soil testing sensors, computers,
12 monitors, software, global positioning and mapping systems,
13 and other such equipment.

14 Farm machinery and equipment also includes computers,
15 sensors, software, and related equipment used primarily in
16 the computer-assisted operation of production agriculture
17 facilities, equipment, and activities such as, but not
18 limited to, the collection, monitoring, and correlation of
19 animal and crop data for the purpose of formulating animal
20 diets and agricultural chemicals. This item (11) is exempt
21 from the provisions of Section 3-90.

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

29 (13) Proceeds of mandatory service charges separately
30 stated on customers' bills for the purchase and consumption
31 of food and beverages purchased at retail from a retailer, to
32 the extent that the proceeds of the service charge are in
33 fact turned over as tips or as a substitute for tips to the
34 employees who participate directly in preparing, serving,

1 hosting or cleaning up the food or beverage function with
2 respect to which the service charge is imposed.

3 (14) Oil field exploration, drilling, and production
4 equipment, including (i) rigs and parts of rigs, rotary rigs,
5 cable tool rigs, and workover rigs, (ii) pipe and tubular
6 goods, including casing and drill strings, (iii) pumps and
7 pump-jack units, (iv) storage tanks and flow lines, (v) any
8 individual replacement part for oil field exploration,
9 drilling, and production equipment, and (vi) machinery and
10 equipment purchased for lease; but excluding motor vehicles
11 required to be registered under the Illinois Vehicle Code.

12 (15) Photoprocessing machinery and equipment, including
13 repair and replacement parts, both new and used, including
14 that manufactured on special order, certified by the
15 purchaser to be used primarily for photoprocessing, and
16 including photoprocessing machinery and equipment purchased
17 for lease.

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

23 (17) Distillation machinery and equipment, sold as a
24 unit or kit, assembled or installed by the retailer,
25 certified by the user to be used only for the production of
26 ethyl alcohol that will be used for consumption as motor fuel
27 or as a component of motor fuel for the personal use of the
28 user, and not subject to sale or resale.

29 (18) Manufacturing and assembling machinery and
30 equipment used primarily in the process of manufacturing or
31 assembling tangible personal property for wholesale or retail
32 sale or lease, whether that sale or lease is made directly by
33 the manufacturer or by some other person, whether the
34 materials used in the process are owned by the manufacturer

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

6 (19) Personal property delivered to a purchaser or
7 purchaser's donee inside Illinois when the purchase order for
8 that personal property was received by a florist located
9 outside Illinois who has a florist located inside Illinois
10 deliver the personal property.

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

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

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

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

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

1 a corporation, society, association, foundation, or
2 institution that has been issued a sales tax exemption
3 identification number by the Department that assists victims
4 of the disaster who reside within the declared disaster area.

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

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

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

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

9 (28) Beginning January 1, 2000, personal property,
10 including food, purchased through fundraising events for the
11 benefit of a public or private elementary or secondary
12 school, a group of those schools, or one or more school
13 districts if the events are sponsored by an entity recognized
14 by the school district that consists primarily of volunteers
15 and includes parents and teachers of the school children.
16 This paragraph does not apply to fundraising events (i) for
17 the benefit of private home instruction or (ii) for which the
18 fundraising entity purchases the personal property sold at
19 the events from another individual or entity that sold the
20 property for the purpose of resale by the fundraising entity
21 and that profits from the sale to the fundraising entity.
22 This paragraph is exempt from the provisions of Section 3-90.

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

28 (30) Food for human consumption that is to be consumed
29 off the premises where it is sold (other than alcoholic
30 beverages, soft drinks, and food that has been prepared for
31 immediate consumption) and prescription and nonprescription
32 medicines, drugs, medical appliances, and insulin, urine
33 testing materials, syringes, and needles used by diabetics,
34 for human use, when purchased for use by a person receiving

1 medical assistance under Article 5 of the Illinois Public Aid
2 Code who resides in a licensed long-term care facility, as
3 defined in the Nursing Home Care Act.

4 (31) Beginning on January 1, 2002 and through December
5 31, 2005, any reinforced steel gun safe used to store
6 firearms or ammunition.

7 (Source: P.A. 90-14, eff. 7-1-97; 90-552, eff. 12-12-97;
8 90-605, eff. 6-30-98; 91-51, eff. 6-30-99; 91-200, eff.
9 7-20-99; 91-439, eff. 8-6-99; 91-637, eff. 8-20-99; 91-644,
10 eff. 8-20-99; 91-901, eff. 1-1-01.)

11 Section 15. The Service Use Tax Act is amended by
12 changing Section 3-5 as follows:

13 (35 ILCS 110/3-5) (from Ch. 120, par. 439.33-5)

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

16 (1) Personal property purchased from a corporation,
17 society, association, foundation, institution, or
18 organization, other than a limited liability company, that is
19 organized and operated as a not-for-profit service enterprise
20 for the benefit of persons 65 years of age or older if the
21 personal property was not purchased by the enterprise for the
22 purpose of resale by the enterprise.

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

26 (3) Personal property purchased by a not-for-profit arts
27 or cultural organization that establishes, by proof required
28 by the Department by rule, that it has received an exemption
29 under Section 501(c)(3) of the Internal Revenue Code and that
30 is organized and operated for the presentation or support of
31 arts or cultural programming, activities, or services. These
32 organizations include, but are not limited to, music and

1 dramatic arts organizations such as symphony orchestras and
2 theatrical groups, arts and cultural service organizations,
3 local arts councils, visual arts organizations, and media
4 arts organizations.

5 (4) Legal tender, currency, medallions, or gold or
6 silver coinage issued by the State of Illinois, the
7 government of the United States of America, or the government
8 of any foreign country, and bullion.

9 (5) Graphic arts machinery and equipment, including
10 repair and replacement parts, both new and used, and
11 including that manufactured on special order or purchased for
12 lease, certified by the purchaser to be used primarily for
13 graphic arts production.

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

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

1 selling price of the tender is separately stated.

2 Farm machinery and equipment shall include precision
3 farming equipment that is installed or purchased to be
4 installed on farm machinery and equipment including, but not
5 limited to, tractors, harvesters, sprayers, planters,
6 seeders, or spreaders. Precision farming equipment includes,
7 but is not limited to, soil testing sensors, computers,
8 monitors, software, global positioning and mapping systems,
9 and other such equipment.

10 Farm machinery and equipment also includes computers,
11 sensors, software, and related equipment used primarily in
12 the computer-assisted operation of production agriculture
13 facilities, equipment, and activities such as, but not
14 limited to, the collection, monitoring, and correlation of
15 animal and crop data for the purpose of formulating animal
16 diets and agricultural chemicals. This item (7) is exempt
17 from the provisions of Section 3-75.

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

25 (9) Proceeds of mandatory service charges separately
26 stated on customers' bills for the purchase and consumption
27 of food and beverages acquired as an incident to the purchase
28 of a service from a serviceman, to the extent that the
29 proceeds of the service charge are in fact turned over as
30 tips or as a substitute for tips to the employees who
31 participate directly in preparing, serving, hosting or
32 cleaning up the food or beverage function with respect to
33 which the service charge is imposed.

34 (10) Oil field exploration, drilling, and production

1 equipment, including (i) rigs and parts of rigs, rotary rigs,
2 cable tool rigs, and workover rigs, (ii) pipe and tubular
3 goods, including casing and drill strings, (iii) pumps and
4 pump-jack units, (iv) storage tanks and flow lines, (v) any
5 individual replacement part for oil field exploration,
6 drilling, and production equipment, and (vi) machinery and
7 equipment purchased for lease; but excluding motor vehicles
8 required to be registered under the Illinois Vehicle Code.

9 (11) Proceeds from the sale of photoprocessing machinery
10 and equipment, including repair and replacement parts, both
11 new and used, including that manufactured on special order,
12 certified by the purchaser to be used primarily for
13 photoprocessing, and including photoprocessing machinery and
14 equipment purchased for lease.

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

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

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

28 (15) Computers and communications equipment utilized for
29 any hospital purpose and equipment used in the diagnosis,
30 analysis, or treatment of hospital patients purchased by a
31 lessor who leases the equipment, under a lease of one year or
32 longer executed or in effect at the time the lessor would
33 otherwise be subject to the tax imposed by this Act, 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. If the equipment is leased
3 in a manner that does not qualify for this exemption or is
4 used in any other non-exempt manner, the lessor shall be
5 liable for the tax imposed under this Act or the Use Tax Act,
6 as the case may be, based on the fair market value of the
7 property at the time the non-qualifying use occurs. No
8 lessor shall collect or attempt to collect an amount (however
9 designated) that purports to reimburse that lessor for the
10 tax imposed by this Act or the Use Tax Act, as the case may
11 be, if the tax has not been paid by the lessor. If a lessor
12 improperly collects any such amount from the lessee, the
13 lessee shall have a legal right to claim a refund of that
14 amount from the lessor. If, however, that amount is not
15 refunded to the lessee for any reason, the lessor is liable
16 to pay that amount to the Department.

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

1 If, however, that amount is not refunded to the lessee for
2 any reason, the lessor is liable to pay that amount to the
3 Department.

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

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

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

33 (20) ~~(19)~~ A motor vehicle, as that term is defined in
34 Section 1-146 of the Illinois Vehicle Code, that is donated

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

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

32 (22) ~~(19)~~ Beginning January 1, 2000, new or used
33 automatic vending machines that prepare and serve hot food
34 and beverages, including coffee, soup, and other items, and

1 replacement parts for these machines. This paragraph is
2 exempt from the provisions of Section 3-75.

3 (23) Beginning on January 1, 2002 and through December
4 31, 2005, any reinforced steel gun safe used to store
5 firearms or ammunition.

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

10 Section 20. The Service Occupation Tax Act is amended by
11 changing Section 3-5 as follows:

12 (35 ILCS 115/3-5) (from Ch. 120, par. 439.103-5)

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

15 (1) Personal property sold by a corporation, society,
16 association, foundation, institution, or organization, other
17 than a limited liability company, that is organized and
18 operated as a not-for-profit service enterprise for the
19 benefit of persons 65 years of age or older if the personal
20 property was not purchased by the enterprise for the purpose
21 of resale by the enterprise.

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

25 (3) Personal property purchased by any not-for-profit
26 arts or cultural organization that establishes, by proof
27 required by the Department by rule, that it has received an
28 exemption under Section 501(c)(3) of the Internal Revenue
29 Code and that is organized and operated for the presentation
30 or support of arts or cultural programming, activities, or
31 services. These organizations include, but are not limited
32 to, music and dramatic arts organizations such as symphony

1 orchestras and theatrical groups, arts and cultural service
2 organizations, local arts councils, visual arts
3 organizations, and media arts organizations.

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

8 (5) Graphic arts machinery and equipment, including
9 repair and replacement parts, both new and used, and
10 including that manufactured on special order or purchased for
11 lease, certified by the purchaser to be used primarily for
12 graphic arts production.

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

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

1 Farm machinery and equipment shall include precision
2 farming equipment that is installed or purchased to be
3 installed on farm machinery and equipment including, but not
4 limited to, tractors, harvesters, sprayers, planters,
5 seeders, or spreaders. Precision farming equipment includes,
6 but is not limited to, soil testing sensors, computers,
7 monitors, software, global positioning and mapping systems,
8 and other such equipment.

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

17 (8) Fuel and petroleum products sold to or used by an
18 air common 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 (9) Proceeds of mandatory service charges separately
25 stated on customers' bills for the purchase and consumption
26 of food and beverages, to the extent that the proceeds of the
27 service charge are in fact turned over as tips or as a
28 substitute for tips to the employees who participate directly
29 in preparing, serving, hosting or cleaning up the food or
30 beverage function with respect to which the service charge is
31 imposed.

32 (10) Oil field exploration, drilling, and production
33 equipment, including (i) rigs and parts of rigs, rotary rigs,
34 cable tool rigs, and workover rigs, (ii) pipe and tubular

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

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

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

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

28 (14) Semen used for artificial insemination of livestock
29 for direct agricultural production.

30 (15) Horses, or interests in horses, registered with and
31 meeting the requirements of any of the Arabian Horse Club
32 Registry of America, Appaloosa Horse Club, American Quarter
33 Horse Association, United States Trotting Association, or
34 Jockey Club, as appropriate, used for purposes of breeding or

1 racing for prizes.

2 (16) Computers and communications equipment utilized for
3 any hospital purpose and equipment used in the diagnosis,
4 analysis, or treatment of hospital patients sold to a lessor
5 who leases the equipment, under a lease of one year or longer
6 executed or in effect at the time of the purchase, to a
7 hospital that has been issued an active tax exemption
8 identification number by the Department under Section 1g of
9 the Retailers' Occupation Tax Act.

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

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

26 (19) Beginning with taxable years ending on or after
27 December 31, 1995 and ending with taxable years ending on or
28 before December 31, 2004, personal property that is used in
29 the performance of infrastructure repairs in this State,
30 including but not limited to municipal roads and streets,
31 access roads, bridges, sidewalks, waste disposal systems,
32 water and sewer line extensions, water distribution and
33 purification facilities, storm water drainage and retention
34 facilities, and sewage treatment facilities, resulting from a

1 State or federally declared disaster in Illinois or bordering
2 Illinois when such repairs are initiated on facilities
3 located in the declared disaster area within 6 months after
4 the disaster.

5 (20) Beginning July 1, 1999, game or game birds sold at
6 a "game breeding and hunting preserve area" or an "exotic
7 game hunting area" as those terms are used in the Wildlife
8 Code or at a hunting enclosure approved through rules adopted
9 by the Department of Natural Resources. This paragraph is
10 exempt from the provisions of Section 3-55.

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

30 (22) ~~(21)~~ Beginning January 1, 2000, personal property,
31 including food, purchased through fundraising events for the
32 benefit of a public or private elementary or secondary
33 school, a group of those schools, or one or more school
34 districts if the events are sponsored by an entity recognized

1 by the school district that consists primarily of volunteers
 2 and includes parents and teachers of the school children.
 3 This paragraph does not apply to fundraising events (i) for
 4 the benefit of private home instruction or (ii) for which the
 5 fundraising entity purchases the personal property sold at
 6 the events from another individual or entity that sold the
 7 property for the purpose of resale by the fundraising entity
 8 and that profits from the sale to the fundraising entity.
 9 This paragraph is exempt from the provisions of Section 3-55.

10 (23) ~~(20)~~ Beginning January 1, 2000, new or used
 11 automatic vending machines that prepare and serve hot food
 12 and beverages, including coffee, soup, and other items, and
 13 replacement parts for these machines. This paragraph is
 14 exempt from the provisions of Section 3-55.

15 (24) Beginning on January 1, 2002 and through December
 16 31, 2005, any reinforced steel gun safe used to store
 17 firearms or ammunition.

18 (Source: P.A. 90-14, eff. 7-1-97; 90-552, eff. 12-12-97;
 19 90-605, eff. 6-30-98; 91-51, eff. 6-30-99; 91-200, eff.
 20 7-20-99; 91-439, eff. 8-6-99; 91-533, eff. 8-13-99; 91-637,
 21 eff. 8-20-99; 91-644, eff. 8-20-99; revised 9-29-99.)

22 Section 25. The Retailers' Occupation Tax Act is amended
 23 by changing Section 2-5 as follows:

24 (35 ILCS 120/2-5) (from Ch. 120, par. 441-5)

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

- 28 (1) Farm chemicals.
- 29 (2) Farm machinery and equipment, both new and used,
 30 including that manufactured on special order, certified by
 31 the purchaser to be used primarily for production agriculture
 32 or State or federal agricultural programs, including

1 individual replacement parts for the machinery and equipment,
2 including machinery and equipment purchased for lease, and
3 including implements of husbandry defined in Section 1-130 of
4 the Illinois Vehicle Code, farm machinery and agricultural
5 chemical and fertilizer spreaders, and nurse wagons required
6 to be registered under Section 3-809 of the Illinois Vehicle
7 Code, but excluding other motor vehicles required to be
8 registered under the Illinois Vehicle Code. Horticultural
9 polyhouses or hoop houses used for propagating, growing, or
10 overwintering plants shall be considered farm machinery and
11 equipment under this item (2). Agricultural chemical tender
12 tanks and dry boxes shall include units sold separately from
13 a motor vehicle required to be licensed and units sold
14 mounted on a motor vehicle required to be licensed, if the
15 selling price of the tender is separately stated.

16 Farm machinery and equipment shall include precision
17 farming equipment that is installed or purchased to be
18 installed on farm machinery and equipment including, but not
19 limited to, tractors, harvesters, sprayers, planters,
20 seeders, or spreaders. Precision farming equipment includes,
21 but is not limited to, soil testing sensors, computers,
22 monitors, software, global positioning and mapping systems,
23 and other such equipment.

24 Farm machinery and equipment also includes computers,
25 sensors, software, and related equipment used primarily in
26 the computer-assisted operation of production agriculture
27 facilities, equipment, and activities such as, but not
28 limited to, the collection, monitoring, and correlation of
29 animal and crop data for the purpose of formulating animal
30 diets and agricultural chemicals. This item (7) is exempt
31 from the provisions of Section 2-70.

32 (3) Distillation machinery and equipment, sold as a unit
33 or kit, assembled or installed by the retailer, certified by
34 the user to be used only for the production of ethyl alcohol

1 that will be used for consumption as motor fuel or as a
2 component of motor fuel for the personal use of the user, and
3 not subject to sale or resale.

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

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

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

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

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

29 (9) Personal property sold to a not-for-profit arts or
30 cultural organization that establishes, by proof required by
31 the Department by rule, that it has received an exemption
32 under Section 501(c)(3) of the Internal Revenue Code and that
33 is organized and operated for the presentation or support of
34 arts or cultural programming, activities, or services. These

1 organizations include, but are not limited to, music and
2 dramatic arts organizations such as symphony orchestras and
3 theatrical groups, arts and cultural service organizations,
4 local arts councils, visual arts organizations, and media
5 arts organizations.

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

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

27 (12) Personal property sold to interstate carriers for
28 hire for use as rolling stock moving in interstate commerce
29 or to lessors under leases of one year or longer executed or
30 in effect at the time of purchase by interstate carriers for
31 hire for use as rolling stock moving in interstate commerce
32 and equipment operated by a telecommunications provider,
33 licensed as a common carrier by the Federal Communications
34 Commission, which is permanently installed in or affixed to

1 aircraft moving in interstate commerce.

2 (13) Proceeds from sales to owners, lessors, or shippers
3 of tangible personal property that is utilized by interstate
4 carriers for hire for use as rolling stock moving in
5 interstate commerce and equipment operated by a
6 telecommunications provider, licensed as a common carrier by
7 the Federal Communications Commission, which is permanently
8 installed in or affixed to aircraft moving in interstate
9 commerce.

10 (14) Machinery and equipment that will be used by the
11 purchaser, or a lessee of the purchaser, primarily in the
12 process of manufacturing or assembling tangible personal
13 property for wholesale or retail sale or lease, whether the
14 sale or lease is made directly by the manufacturer or by some
15 other person, whether the materials used in the process are
16 owned by the manufacturer or some other person, or whether
17 the sale or lease is made apart from or as an incident to the
18 seller's engaging in the service occupation of producing
19 machines, tools, dies, jigs, patterns, gauges, or other
20 similar items of no commercial value on special order for a
21 particular purchaser.

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

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

33 (17) Tangible personal property sold to a common carrier
34 by rail or motor that receives the physical possession of the

1 property in Illinois and that transports the property, or
2 shares with another common carrier in the transportation of
3 the property, out of Illinois on a standard uniform bill of
4 lading showing the seller of the property as the shipper or
5 consignor of the property to a destination outside Illinois,
6 for use outside Illinois.

7 (18) Legal tender, currency, medallions, or gold or
8 silver coinage issued by the State of Illinois, the
9 government of the United States of America, or the government
10 of any foreign country, and bullion.

11 (19) Oil field exploration, drilling, and production
12 equipment, including (i) rigs and parts of rigs, rotary rigs,
13 cable tool rigs, and workover rigs, (ii) pipe and tubular
14 goods, including casing and drill strings, (iii) pumps and
15 pump-jack units, (iv) storage tanks and flow lines, (v) any
16 individual replacement part for oil field exploration,
17 drilling, and production equipment, and (vi) machinery and
18 equipment purchased for lease; but excluding motor vehicles
19 required to be registered under the Illinois Vehicle Code.

20 (20) Photoprocessing machinery and equipment, including
21 repair and replacement parts, both new and used, including
22 that manufactured on special order, certified by the
23 purchaser to be used primarily for photoprocessing, and
24 including photoprocessing machinery and equipment purchased
25 for lease.

26 (21) Coal exploration, mining, offhighway hauling,
27 processing, maintenance, and reclamation equipment, including
28 replacement parts and equipment, and including equipment
29 purchased for lease, but excluding motor vehicles required to
30 be registered under the Illinois Vehicle Code.

31 (22) Fuel and petroleum products sold to or used by an
32 air carrier, certified by the carrier to be used for
33 consumption, shipment, or storage in the conduct of its
34 business as an air common carrier, for a flight destined for

1 or returning from a location or locations outside the United
2 States without regard to previous or subsequent domestic
3 stopovers.

4 (23) A transaction in which the purchase order is
5 received by a florist who is located outside Illinois, but
6 who has a florist located in Illinois deliver the property to
7 the purchaser or the purchaser's donee in Illinois.

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

14 (25) A motor vehicle sold in this State to a nonresident
15 even though the motor vehicle is delivered to the nonresident
16 in this State, if the motor vehicle is not to be titled in
17 this State, and if a driveaway decal permit is issued to the
18 motor vehicle as provided in Section 3-603 of the Illinois
19 Vehicle Code or if the nonresident purchaser has vehicle
20 registration plates to transfer to the motor vehicle upon
21 returning to his or her home state. The issuance of the
22 driveaway decal permit or having the out-of-state
23 registration plates to be transferred is prima facie evidence
24 that the motor vehicle will not be titled in this State.

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

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

33 (28) Computers and communications equipment utilized for
34 any hospital purpose and equipment used in the diagnosis,

1 analysis, or treatment of hospital patients sold to a lessor
2 who leases the equipment, under a lease of one year or longer
3 executed or in effect at the time of the purchase, to a
4 hospital that has been issued an active tax exemption
5 identification number by the Department under Section 1g of
6 this Act.

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

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

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

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

7 (33) ~~(32)~~ A motor vehicle, as that term is defined in
8 Section 1-146 of the Illinois Vehicle Code, that is donated
9 to a corporation, limited liability company, society,
10 association, foundation, or institution that is determined by
11 the Department to be organized and operated exclusively for
12 educational purposes. For purposes of this exemption, "a
13 corporation, limited liability company, society, association,
14 foundation, or institution organized and operated exclusively
15 for educational purposes" means all tax-supported public
16 schools, private schools that offer systematic instruction in
17 useful branches of learning by methods common to public
18 schools and that compare favorably in their scope and
19 intensity with the course of study presented in tax-supported
20 schools, and vocational or technical schools or institutes
21 organized and operated exclusively to provide a course of
22 study of not less than 6 weeks duration and designed to
23 prepare individuals to follow a trade or to pursue a manual,
24 technical, mechanical, industrial, business, or commercial
25 occupation.

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

1 fundraising entity purchases the personal property sold at
2 the events from another individual or entity that sold the
3 property for the purpose of resale by the fundraising entity
4 and that profits from the sale to the fundraising entity.
5 This paragraph is exempt from the provisions of Section 2-70.

6 (35) ~~(32)~~ Beginning January 1, 2000, new or used
7 automatic vending machines that prepare and serve hot food
8 and beverages, including coffee, soup, and other items, and
9 replacement parts for these machines. This paragraph is
10 exempt from the provisions of Section 2-70.

11 (36) Beginning on January 1, 2002 and through December
12 31, 2005, any reinforced steel gun safe used to store
13 firearms or ammunition.

14 (Source: P.A. 90-14, eff. 7-1-97; 90-519, eff. 6-1-98;
15 90-552, eff. 12-12-97; 90-605, eff. 6-30-98; 91-51, eff.
16 6-30-99; 91-200, eff. 7-20-99; 91-439, eff. 8-6-99; 91-533,
17 eff. 8-13-99; 91-637, eff. 8-20-99; 91-644, eff. 8-20-99;
18 revised 9-28-99.)

19 Section 99. Effective date. This Act takes effect on
20 January 1, 2002.