

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 Retailers' Occupation Tax Act is amended
5 by changing Section 5k as follows:

6 (35 ILCS 120/5k) (from Ch. 120, par. 444k)

7 Sec. 5k. Building materials used in enterprise zone.

8 Each retailer who makes a sale of building materials to be
9 incorporated into real estate in an enterprise zone
10 established by a county or municipality under the Illinois
11 Enterprise Zone Act by remodeling, rehabilitation or new
12 construction, must may deduct receipts from such sales when
13 calculating the tax imposed by this Act. ~~The deduction~~
14 ~~allowed by this Section for the sale of building materials~~
15 ~~may be limited, to the extent authorized by ordinance,~~
16 ~~adopted after the effective date of this amendatory Act of~~
17 ~~1992, by the municipality or county that created the~~
18 ~~enterprise zone in which the retailer's place of business is~~
19 ~~located. The corporate authorities of any municipality or~~
20 ~~county that adopts an ordinance or resolution imposing or~~
21 ~~changing any limitation on the enterprise zone exemption for~~
22 ~~building materials shall transmit to the Department of~~
23 ~~Revenue on or not later than 5 days after publication, as~~
24 ~~provided by law, a certified copy of the ordinance or~~
25 ~~resolution imposing or changing those limitations, whereupon~~
26 ~~the Department of Revenue shall proceed to administer and~~
27 ~~enforce those limitations effective the first day of the~~
28 ~~second calendar month next following date of receipt by the~~
29 ~~Department of the certified ordinance or resolution. The~~
30 provisions of this Section are exempt from Section 2-70.

31 (Source: P.A. 91-51, eff. 6-30-99; 91-954, eff. 1-1-02;

1 92-484, eff. 8-23-01.)

2 Section 90. The State Mandates Act is amended by adding
3 Section 8.26 as follows:

4 (30 ILCS 805/8.26 new)

5 Sec. 8.26. Exempt mandate. Notwithstanding Sections 6
6 and 8 of this Act, no reimbursement by the State is required
7 for the implementation of any mandate created by this
8 amendatory Act of the 92nd General Assembly.

9 (Source: P.A. 91-51, eff. 6-30-99; 91-954, eff. 1-1-02;
10 92-484, eff. 8-23-01.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.