

SB1604



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1604

Introduced 2/9/2007, by Sen. Dan Cronin

SYNOPSIS AS INTRODUCED:

35 ILCS 105/3-3 new
35 ILCS 110/3-3 new
35 ILCS 115/3-3 new
35 ILCS 120/2-3 new

Amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act. Provides that, beginning February 1, 2008 and through April 30, 2008, no tax is imposed under those Acts upon the use or sale of certain energy-efficient products. Authorizes and encourages units of local government that impose use and occupation taxes to declare a similar tax holiday. Effective immediately.

LRB095 09584 BDD 29784 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

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

4 Section 10. The Use Tax Act is amended by adding Section
5 3-3 as follows:

6 (35 ILCS 105/3-3 new)

7 Sec. 3-3. Tax holiday; energy-efficient products.

8 (a) No tax is imposed under this Act upon the privilege of
9 using, in this State, energy-efficient products for
10 residential use if those products are purchased during the
11 tax-holiday period, which begins at 12:01 a.m. on February 1,
12 2008 and ends at 11:59 p.m. on April 30, 2008.

13 For the purposes of this Section, "energy-efficient
14 products" means products that are entitled to and carry the
15 Energy Star label under the Energy Star program administered by
16 the federal government, such as windows, insulation, roof
17 products, residential lamps and lights, transformers, heating
18 and cooling equipment, clothes washers, dehumidifiers,
19 dishwashers, refrigerators, freezers, room air conditioners,
20 ceiling fans, programmable thermostats, ventilating fans, and
21 compact fluorescent bulbs.

22 (b) Any discount, coupon, or other credit offered either by
23 the retailer or by a vendor of the retailer to reduce the final

1 price to the customer shall be taken into account in
2 determining the selling price of the item for purposes of this
3 tax holiday. For purposes of this Section, a "purchase" occurs
4 during the tax holiday if the buyer places an order and pays
5 the purchase price by cash or credit during the tax holiday
6 period regardless of whether the delivery of the item occurs
7 after the tax holiday period.

8 (c) Each unit of local government that imposes a use tax
9 may, by resolution or ordinance, declare a tax holiday with
10 respect to its tax for the same items, during the same periods,
11 and under the same conditions and is encouraged to do so.

12 Section 15. The Service Use Tax Act is amended by adding
13 Section 3-3 as follows:

14 (35 ILCS 110/3-3 new)

15 Sec. 3-3. Tax holiday; energy-efficient products.

16 (a) No tax is imposed under this Act upon the privilege of
17 using, in this State, energy-efficient products for
18 residential use if those products are acquired as an incident
19 of a service that is purchased from a serviceman during the
20 tax-holiday period, which begins at 12:01 a.m. on February 1,
21 2008 and ends at 11:59 p.m. on April 30, 2008.

22 For the purposes of this Section, "energy-efficient
23 products" means products that are entitled to and carry the
24 Energy Star label under the Energy Star program administered by

1 the federal government, such as windows, insulation, roof
2 products, residential lamps and lights, transformers, heating
3 and cooling equipment, clothes washers, dehumidifiers,
4 dishwashers, refrigerators, freezers, room air conditioners,
5 ceiling fans, programmable thermostats, ventilating fans, and
6 compact fluorescent bulbs.

7 (b) Any discount, coupon, or other credit offered either by
8 the retailer or by a vendor of the retailer to reduce the final
9 price to the customer shall be taken into account in
10 determining the selling price of the item for purposes of this
11 tax holiday. For purposes of this Section, a "purchase" occurs
12 during the tax holiday if the buyer places an order and pays
13 the purchase price by cash or credit during the tax holiday
14 period regardless of whether the delivery of the item occurs
15 after the tax holiday period.

16 (c) Each unit of local government that imposes a use tax
17 may, by resolution or ordinance, declare a tax holiday with
18 respect to its tax for the same items, during the same periods,
19 and under the same conditions and is encouraged to do so.

20 Section 20. The Service Occupation Tax Act is amended by
21 adding Section 3-3 as follows:

22 (35 ILCS 115/3-3 new)

23 Sec. 3-3. Tax holiday; energy-efficient products.

24 (a) No tax is imposed under this Act upon the transfer of

1 energy-efficient products for residential use if those
2 products are transferred as an incident of a service that is
3 purchased from a serviceman during the tax-holiday period,
4 which begins at 12:01 a.m. on February 1, 2008 and ends at
5 11:59 p.m. on April 30, 2008.

6 For the purposes of this Section, "energy-efficient
7 products" means products that are entitled to and carry the
8 Energy Star label under the Energy Star program administered by
9 the federal government, such as windows, insulation, roof
10 products, residential lamps and lights, transformers, heating
11 and cooling equipment, clothes washers, dehumidifiers,
12 dishwashers, refrigerators, freezers, room air conditioners,
13 ceiling fans, programmable thermostats, ventilating fans, and
14 compact fluorescent bulbs.

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

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

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

2 Section 25. The Retailers' Occupation Tax Act is amended by
3 adding Section 2-3 as follows:

4 (35 ILCS 120/2-3 new)

5 Sec. 2-3. Tax holiday; energy-efficient products.

6 (a) No tax is imposed under this Act upon persons engaged
7 in the business of selling at retail energy-efficient products
8 for residential use if those products are purchased during the
9 tax-holiday period, which begins at 12:01 a.m. on February 1,
10 2008 and ends at 11:59 p.m. on April 30, 2008.

11 For the purposes of this Section, "energy-efficient
12 products" means products that are entitled to and carry the
13 Energy Star label under the Energy Star program administered by
14 the federal government, such as windows, insulation, roof
15 products, residential lamps and lights, transformers, heating
16 and cooling equipment, clothes washers, dehumidifiers,
17 dishwashers, refrigerators, freezers, room air conditioners,
18 ceiling fans, programmable thermostats, ventilating fans, and
19 compact fluorescent bulbs.

20 (b) Any discount, coupon, or other credit offered either by
21 the retailer or by a vendor of the retailer to reduce the final
22 price to the customer shall be taken into account in
23 determining the selling price of the item for purposes of this
24 tax holiday. For purposes of this Section, a "purchase" occurs

1 during the tax holiday if the buyer places an order and pays
2 the purchase price by cash or credit during the tax holiday
3 period regardless of whether the delivery of the item occurs
4 after the tax holiday period.

5 (c) Each unit of local government that imposes a use tax
6 may, by resolution or ordinance, declare a tax holiday with
7 respect to its tax for the same items, during the same periods,
8 and under the same conditions and is encouraged to do so.

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.