



Rep. Sidney H. Mathias

**Filed: 3/31/2009**

09600HB3729ham001

LRB096 09408 RLJ 24698 a

1 AMENDMENT TO HOUSE BILL 3729

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3729 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by  
5 changing Section 8-3-14 as follows:

6 (65 ILCS 5/8-3-14) (from Ch. 24, par. 8-3-14)

7 Sec. 8-3-14. Municipal hotel operators' occupation tax.

8 (a) The corporate authorities of any municipality may  
9 impose a tax upon all persons engaged in such municipality in  
10 the business of renting, leasing or letting rooms in a hotel,  
11 as defined in "The Hotel Operators' Occupation Tax Act," at a  
12 rate not to exceed 6% in the City of East Peoria and in the  
13 Village of Morton and 5% in all other municipalities of the  
14 gross rental receipts from such renting, leasing or letting,  
15 excluding, however, from gross rental receipts, the proceeds of  
16 such renting, leasing or letting to permanent residents of that

1 hotel and proceeds from the tax imposed under subsection (c) of  
2 Section 13 of the Metropolitan Pier and Exposition Authority  
3 Act, and may provide for the administration and enforcement of  
4 the tax, and for the collection thereof from the persons  
5 subject to the tax, as the corporate authorities determine to  
6 be necessary or practicable for the effective administration of  
7 the tax.

8 (b) Persons subject to any tax imposed pursuant to  
9 authority granted by this Section may reimburse themselves for  
10 their tax liability for such tax by separately stating such tax  
11 as an additional charge, which charge may be stated in  
12 combination, in a single amount, with State tax imposed under  
13 "The Hotel Operators' Occupation Tax Act".

14 (c) Nothing in this Section shall be construed to authorize  
15 a municipality to impose a tax upon the privilege of engaging  
16 in any business which under the constitution of the United  
17 States may not be made the subject of taxation by this State.

18 (d) Except as provided in subsection (e), the ~~The~~ amounts  
19 collected by any municipality pursuant to this Section shall be  
20 expended by the municipality solely to promote tourism and  
21 conventions within that municipality or otherwise to attract  
22 nonresident overnight visitors to the municipality.

23 (e) In a county with a population of 3,000,000 or more  
24 inhabitants, any city that has a local tourism and convention  
25 bureau, certified by the State prior to January 1, 1991, that  
26 is a department of the city staffed with at least one full-time

1 paid employee of the city whose sole function is to promote  
2 tourism development within the bureau's designated service  
3 area may expend the amounts collected pursuant to this Section  
4 for any municipal purpose including, but not limited to,  
5 promoting tourism and conventions within the city.

6 (f) No funds received pursuant to this Section shall be  
7 used to advertise for or otherwise promote new competition in  
8 the hotel business.

9 (Source: P.A. 95-967, eff. 9-23-08.)".