



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4016

by Rep. Frank J. Mautino

SYNOPSIS AS INTRODUCED:

35 ILCS 105/3-75
35 ILCS 120/2-55

from Ch. 120, par. 439.3-75
from Ch. 120, par. 441-55

Amends the Use Tax Act and the Retailers' Occupation Tax Act. Provides that a serviceman is not liable for any tax imposed by these Acts when the tangible personal property is exempt from taxation under these Acts, and the repair made by the serviceman is a goodwill repair. Effective immediately.

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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 5. The Use Tax Act is amended by changing Section
5 3-75 as follows:

6 (35 ILCS 105/3-75) (from Ch. 120, par. 439.3-75)

7 Sec. 3-75. Serviceman transfer. Tangible personal property
8 purchased by a serviceman, as defined in Section 2 of the
9 Service Occupation Tax Act, is subject to the tax imposed by
10 this Act when purchased for transfer by the serviceman
11 incidental to completion of a maintenance agreement. However, a
12 serviceman is not liable for any tax imposed by this Act when
13 the tangible personal property is exempt from taxation under
14 the Use Tax Act or the Retailers' Occupation Tax Act, and the
15 repair made by the serviceman is a goodwill repair.

16 (Source: P.A. 91-51, eff. 6-30-99.)

17 Section 10. The Retailers' Occupation Tax Act is amended by
18 changing Section 2-55 as follows:

19 (35 ILCS 120/2-55) (from Ch. 120, par. 441-55)

20 Sec. 2-55. Serviceman transfer. Tangible personal property
21 purchased by a serviceman, as defined in Section 2 of the

1 Service Occupation Tax Act, is subject to the tax imposed by
2 this Act when purchased for transfer by the serviceman
3 incidental to completion of a maintenance agreement. However, a
4 serviceman is not liable for any tax imposed by this Act when
5 the tangible personal property is exempt from taxation under
6 the Use Tax Act or the Retailers' Occupation Tax Act, and the
7 repair made by the serviceman is a goodwill repair.

8 (Source: P.A. 91-51, eff. 6-30-99.)

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