1	TITLE 86: REVENUE					
2	CHAPTER III: ATTORNEY GENERAL					
3	D.I. D. T. 4000					
4	пты	PART 2000				
5	ILLIN	OIS ESTATE AND GENERATION-SKIPPING TRANSFER TAX RETURN				
6	G 4:					
7	Section	Described Determ				
8	2000.100	Prescribed Return				
9	2000.101	Form of Return (Repealed) Schedule of Assets				
0	2000.110 2000.200	Estate Tax Treatment of Civil Unions				
1	2000.200	Estate Tax Treatment of Civil Unions				
12 13 14	2000.APPEN	NDIX A Estate and Generation Skipping Transfer Tax Return (Repealed)				
5	AUTHORITY: Implementing Section 6(f) and authorized by Section 16 of the Illinois Estate and Generation-Skipping Transfer Tax Act [35 ILCS 405].					
7						
8		Adopted at 14 III. Reg. 17183, effective November 1, 1990; amended at 31 III. Reg.				
9		e December 20, 2006; amended at 33 Ill. Reg. 13930, effective September 17, 2009;				
20	amended at 36 Ill. Reg. 13474, effective August 9, 2012; amended at 48 Ill. Reg,					
21	effective	·				
22	G	0.400 P				
23	Section 2000	0.100 Prescribed Return				
24	A 11					
25		required by Section 6(c) of the Illinois Estate and Generation-Skipping Transfer Tax				
26 27	Act [35 ILCS 405/6(c)] to file a return pursuant to the Illinois Estate and Generation-Skipping Transfer Tax shall file a return. The Attorney General shall provide a form for the return, but					
28	other forms that contain the information prescribed in this Section will also be accepted. An					
29	acceptable for	orm must contain the following information:				
30	,					
31	a)	Decedent's name;				
32	1- \	Detect deads.				
33	b)	Date of death;				
34	2)	Decedent's complete address.				
35 36	c)	Decedent's complete address;				
37	d)	Decedent's Social Security Number;				
38	u)	Decedent's Social Security Number,				
39	e)	Name of Illinois county in which decedent resided or, if non-resident, Illinois				
10	c)	county in which the greatest value of property is located;				
11		county in which the greatest value of property is focuted,				
12	f)	Name of personal representative or person filing return;				
13	1)	2. mile 02 personal representative of person filling feating				

14 15 16	g)	Complete address and telephone number of personal representative or person filing return;
17 18	h)	Name of preparer of return;
19 50	i)	Complete address and telephone number of preparer of return;
51 52 53 54 55	j)	Statement of whether a federal estate tax return is required to be filed and, if so, a copy of the federal return shall be attached to the Illinois return; if not, an itemized schedule of all assets, wherever located, in the form described in Section 2000.110, shall be attached;
56 57 58	k)	Statement of whether the decedent was an Illinois resident, a non-resident or <u>a</u> nonresident not a citizen an alien, and the year domicile was established;
56 59 50 51 52	1)	Statement of the due date of the return, any extension of the due date of the federal estate tax return, and, if extended, a copy of the federal return extension request;
53 54 55 56	m)	A certification that the return, and all accompanying schedules and attachments, are true and correct and that any copies of the federal return and its attachments are true and correct copies of the originals;
67 68	n)	Signature, title and date of signature of the personal representative;
59 70	o)	Signature and date of signature of the preparer;
71 72 73 74	p)	A statement of the total amount of Illinois estate tax due, which is an amount equal to the maximum tax credit calculable from the federal state death tax credit table in effect on December 31, 2001 (26 <u>U.S.C. USCA</u> 2011(b)(1) (West. 2002));
75 76 77	q)	A statement of taxes that were paid to other states and that would have qualified for the federal state death tax credit as of December 31, 2001 in accordance with subsection (p) of this Section;
79 30 31	r)	A statement of the net tax remaining after deduction of qualifying taxes paid to other states;
31 32 33 34	s)	A statement of the gross estate value for estate tax purposes of assets having taxable situs in Illinois;
85 86	t)	A statement of the gross estate assets' value for federal estate tax purposes wherever located;

87		
88	u)	A statement of the percentage of Illinois situs assets to gross estate assets;
89		
90	v)	A statement as to the amount of tax attributable to Illinois as determined by
91		multiplying the total amount of Illinois estate tax due by the percentage of the
92		Illinois situs assets to gross estate assets;
93		
94	w)	A statement of the maximum allowable credit for <u>State</u> state taxes pursuant to
95		section 2604 of the Internal Revenue Code (26 <u>U.S.C.</u> USC 2604, Generation-
96		Skipping Transfer Tax provisions). If any such credit is allowable, the federal
97		Generation-Skipping Transfer Tax return with computations shall be attached;
98		
99	x)	A statement of any allowable Generation-Skipping Transfer Tax credit for tax
100		paid to other states;
101		
102	y)	A statement of the difference between the total Generation-Skipping Transfer Tax
103		Statestate credit and the amount paid to other states;
104		
105	z)	A statement of the total tax payable to Illinois;
106		
107	aa)	A statement of any late filing penalty;
108		
109	bb)	A statement of any late payment penalty;
110		
111	cc)	A statement of any interest;
112		
113	dd)	A statement of the total tax, penalties, and interest due;
114		
115	ee)	A statement of all payments made and copies of receipts for payments;
116		
117	ff)	A statement of any balance due;
118		
119	gg)	A statement of any amount payable in installments under 35 ILCS 405/6;
120		
121	hh)	If any amounts are payable in installments, a statement of the gross value of the
122		closely held business in Illinois, the gross value of all Illinois assets, the
123		percentage of Illinois closely held business assets to all Illinois assets, and the
124		result of applying the percentage to tax due Illinois;
125		
126	<u>ii)</u>	If any Illinois qualified terminable interest property (QTIP) election is claimed, a
127		statement as to the amount of the election claimed. If this amount includes trust
128		property, state the percentage of the trust made subject to the election; and
129		

JCAR862000-2406413r02

130	ji)	If any	Illinois QTIP election was made in the estate of the decedent's predeceased
	111/	_	
131			e, a statement as to the value at the date of death of the current decedent of
132		me as	sets made subject to the prior Illinois QTIP election.
133	/ C		1 1 40 HLP
134	(Source	ce: Am	ended at 48 Ill. Reg, effective)
135	G	440.0	
136	Section 2000	.110 S	chedule of Assets
137			
138	a)	Any i	temized schedule of all assets must contain:
139			
140		1)	A schedule showing real estate owned individually by the decedent, with
141			identification of any real estate valued under Section 2032A of the Internal
142			Revenue Code (26 <u>U.S.C. USC</u> 2032A);
143			
144		2)	A schedule showing stocks and bonds owned individually by the decedent
145			with description, face amount of bonds, or number of shares;
146			
147		3)	A schedule showing mortgages, notes and cash owned individually;
148			
149		4)	A schedule showing insurance on the decedent's life;
150			
151		5)	A schedule showing all jointly owned property of the decedent separated
152			by interests held with a spouse as the only joint tenant and all other joint
153			interests;
154			
155		6)	A schedule showing all other miscellaneous property not reportable under
156		,	any other schedule of the decedent;
157			·
158		7)	A schedule showing all transfers within three years before the decedent's
159		,	death;
160			
161		8)	A schedule showing powers of appointment held by the decedent;
162		,	
163		9)	A schedule showing all annuities owned by the decedent;
164		,	,
165		10)	A schedule showing funeral expenses and expenses incurred in
166		/	administering property subject to claims of the decedent's estate;
167			Frequency
168		11)	A schedule showing debts of the decedent, and mortgages and liens;
169		/	and many decide of the decedent, and moregages and nois,
170		12)	A schedule showing net losses during administration and expenses
171		/	incurred in administering property not subject to claims;
172			meaning property not subject to claims,
- · -			

173				
175 176 177 188 179 189 180 180 181 182 179 180 181 182 183 179 184 185 187 188 187 188 188 188 188 188 187 189 189 180 180 181 180 181 180 180 180 180 180			13)	A schedule showing bequests and transfers to a surviving spouse;
176 177 15) A recapitulation of all schedules; 178 179 16) A schedule of all adjusted taxable gifts as determined under the Gift and Estate Taxes provisions of the Internal Revenue Code (26 U.S.C. 2001 and 2503); 182 183 187 188 189 180 180 A schedule showing the calculation of the tentative taxable estate by subtracting allowable deductions from the gross estate total of all schedules without adjusted taxable gifts; 186 180 181 182 183 184 Subtracting allowable deductions from the gross estate total of all schedules without adjusted taxable gifts; 186 187 188 Including, but not limited to, wills, trusts, and beneficiary designations, including the social security numbers of such transferees; 189 190 191 192 A schedule of assets as to which an Illinois OTIP election is claimed. The schedule need not list the individual assets included in the corpus of a trust made subject to election; and 191 195 200 A schedule of assets of the decedent's predeceased spouse for which an Illinois OTIP election was claimed, valued as of the date of death of the current decedent. The schedule should include the total value of the corpus of any trust made subject to the election. 199 190 201 202 203 204 205 205 206 206 207 208 208 209 209 209 200 200 210 211 210 211 221 221 232 242 252 253 264 265 265 267 277 287 288 289 290 290 291 291 292 293 294 295 296 297 297 298 298 298 299 298 299 299 290 290 291 291 291 291 292 293 294 295 296 297 297 298 298 298 299 298 299 299 290 290 291 291 291 292 293 294 295 296 297 297 298 298 298 299 298 299 299 290 290 291 291 291 291 292 293 294 295 296 297 297 298 298 298 299 298 299 299 290 290 291 291 291 292 293 294 295 296 297 298 298 298 299 298 299 299 299 299 290 290 291 291 291 292 293 294 295 296 297 298 298 298 299 298 299 299 299 299 299			4.45	
178 178 179 180 180 180 180 181 180 181 181 2503); 182 183 17) 18 A schedule of all adjusted taxable gifts as determined under the Gift and Estate Taxes provisions of the Internal Revenue Code (26 U.S.C. 2001 and 2503); 182 183 17) 184 185 186 187 188 188 189 180 189 180 189 180 180 180 181 181 181 182 182 187 180 180 An explanation and documentation of the distribution of the estate, including, but not limited to, wills, trusts, and beneficiary designations, including the social security numbers of such transferees; including the social security numbers of such transferees; schedule need not list the individual assets included in the corpus of a trust made subject to election; and 194 195 200 201 202 203 204 205 206 206 207 208 208 209 210 209 210 20 All schedules provided as part of the itemized schedule of assets shall include documentation of values and amounts. Real estate listings, including any such listings obtained from websites, are not sufficient to establish the fair market value of real property for purposes of the Illinois Estate Tax unless the listings provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value. The adequacy of any documentation submitted to establish the fair market value. The adequacy of any documentation submitted to establish the fair market value. The adequacy of any documentation submitted to establish the fair market value. The adequacy of any documentation submitted to establish the fair market value of real property for property for form must state the value of each individual asset and deduction. If a return has been filed with the Internal levidual asset and deduction. If a return has been filed with the Internal levidual asset and deduction. If a return has been filed with the Internal levidual asset			14)	A schedule showing charitable, public, and similar gifts and bequests;
178 179 16) A schedule of all adjusted taxable gifts as determined under the Gift and 180 Estate Taxes provisions of the Internal Revenue Code (26 U.S.C. 2001 and 181 2503); 182 17) A schedule showing the calculation of the tentative taxable estate by 184 subtracting allowable deductions from the gross estate total of all 185 schedules without adjusted taxable gifts; 186 187 188 An explanation and documentation of the distribution of the estate, 188 including, but not limited to, wills, trusts, and beneficiary designations, 189 including the social security numbers of such transferees; 190 191 192 A schedule of assets as to which an Illinois QTIP election is claimed. The 194 schedule need not list the individual assets included in the corpus of a trust 193 made subject to election; and 194 195 200 A schedule of assets of the decedent's predeceased spouse for which an 111inois QTIP election was claimed, valued as of the date of death of the 197 current decedent. The schedule should include the total value of the 198 corpus of any trust made subject to the election. 199 200 b) All schedules provided as part of the itemized schedule of assets shall include 201 documentation of values and amounts. Real estate listings, including any such 181 listings obtained from websites, are not sufficient to establish the fair market 204 value of real property for purposes of the Illinois Estate Tax unless the listings 205 provide the underlying factual basis for the value assigned to the property and 206 explain how the value assigned was determined. "Underlying factual basis" may 207 consist of comparable sales, recent appraised value, or other indicators of fair 208 market value. The adequacy of any documentation submitted to establish the fair 209 market value of real property will be determined on a case-by-case basis. 209 200 The requirements of this Section may be satisfied by the filing of the most recent 210 United States Estate (and Generation-Skipping Transfer) Tax Return published by 211 the Internal Revenue Service			4.5	
16) A schedule of all adjusted taxable gifts as determined under the Gift and Estate Taxes provisions of the Internal Revenue Code (26 U.S.C. 2001 and 2503); 182 183 17) A schedule showing the calculation of the tentative taxable estate by subtracting allowable deductions from the gross estate total of all schedules without adjusted taxable gifts; 185 186 187 18) An explanation and documentation of the distribution of the estate, including, but not limited to, wills, trusts, and beneficiary designations, including the social security numbers of such transferees; 190 191 191 192 A schedule of assets as to which an Illinois OTIP election is claimed. The schedule need not list the individual assets included in the corpus of a trust made subject to election; and 194 195 200 A schedule of assets of the decedent's predeceased spouse for which an Illinois OTIP election was claimed, valued as of the date of death of the current decedent. The schedule should include the total value of the corpus of any trust made subject to the election. 198 200 b) All schedules provided as part of the itemized schedule of assets shall include documentation of values and amounts. Real estate listings, including any such listings obtained from websites, are not sufficient to establish the fair market value of real property for purposes of the Illinois Estate Tax unless the listings provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value. The adequacy of any documentation submitted to establish the fair market value of real property will be determined on a case-by-case basis. 204 205 207 208 208 210 209 210 210 210 221 231 241 242 253 254 255 255 256 257 257 258 258 258 258 259 259 259 260 260 270 280 280 280 280 280 280 280 280 280 28			15)	A recapitulation of all schedules;
Estate Taxes provisions of the Internal Revenue Code (26 U.S.C. 2001 and 2503); 182 183 17) A schedule showing the calculation of the tentative taxable estate by subtracting allowable deductions from the gross estate total of all schedules without adjusted taxable gifts; 184 185 180 181 181 182 183 183 184 185 188 188 189 189 189 180 180 180			4>	
181 2503); 182 17) A schedule showing the calculation of the tentative taxable estate by subtracting allowable deductions from the gross estate total of all schedules without adjusted taxable gifts; 186 187 188 189 190 190 191 191 192 193 189 A schedule of assets as to which an Illinois OTIP election is claimed. The schedule need not list the individual assets included in the corpus of a trust made subject to election; and 194 195 200 196 201 201 202 3 A schedule of assets of the decedent's predeceased spouse for which an Illinois OTIP election is claimed. The current decedent. The schedule should include the total value of the current decedent. The schedule should include the total value of the corpus of any trust made subject to the election. 199 200 200 201 3 All schedules provided as part of the itemized schedule of assets shall include documentation of values and amounts. Real estate listings, including any such listings obtained from websites, are not sufficient to establish the fair market value of real property for purposes of the Illinois Estate Tax unless the listings provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value. The adequacy of any documentation submitted to establish the fair market value of real property will be determined on a case-by-case basis. 207 208 209 210 209 210 210 211 220 23 240 240 251 252 261 262 263 264 265 265 267 267 268 268 269 270 286 287 288 288 289 299 290 290 290 290 290 290 290 290 29			16)	· · · · · · · · · · · · · · · · · · ·
183 17) A schedule showing the calculation of the tentative taxable estate by subtracting allowable deductions from the gross estate total of all schedules without adjusted taxable gifts; 186 187 18 An explanation and documentation of the distribution of the estate, including, but not limited to, wills, trusts, and beneficiary designations, including the social security numbers of such transferees; 190 191 192 A schedule of assets as to which an Illinois QTIP election is claimed. The schedule need not list the individual assets included in the corpus of a trust made subject to election; and 194 195 20) A schedule of assets of the decedent's predeceased spouse for which an Illinois QTIP election was claimed, valued as of the date of death of the current decedent. The schedule should include the total value of the corpus of any trust made subject to the election. 199 200 b) All schedules provided as part of the itemized schedule of assets shall include documentation of values and amounts. Real estate listings, including any such listings obtained from websites, are not sufficient to establish the fair market value of real property for purposes of the Illinois Estate Tax unless the listings provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value of real property will be determined on a case-by-case basis. 206 c) The requirements of this Section may be satisfied by the filing of the most recent United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal				•
183 17) A schedule showing the calculation of the tentative taxable estate by subtracting allowable deductions from the gross estate total of all subtracting allowable deductions from the gross estate total of all schedules without adjusted taxable gifts; 187 188 189 180 189 180 189 180 189 190 190 191 190 191 191 192 192 193 189 189 189 189 190 190 191 192 193 194 195 196 197 198 198 199 199 199 199 190 191 191 191 192 193 194 195 196 197 198 198 199 199 199 190 190 191 191 192 193 194 195 195 196 197 198 198 199 199 199 190 190 191 191 192 193 194 195 196 197 198 198 199 199 199 190 190 190 190 190 190 190				<u>2503);</u>
subtracting allowable deductions from the gross estate total of all schedules without adjusted taxable gifts; 18) An explanation and documentation of the distribution of the estate, including, but not limited to, wills, trusts, and beneficiary designations, including the social security numbers of such transferees; 190 191 192 A schedule of assets as to which an Illinois OTIP election is claimed. The schedule need not list the individual assets included in the corpus of a trust made subject to election; and 194 20) A schedule of assets of the decedent's predeceased spouse for which an Illinois OTIP election was claimed, valued as of the date of death of the current decedent. The schedule should include the total value of the corpus of any trust made subject to the election. 198 200 b) All schedules provided as part of the itemized schedule of assets shall include documentation of values and amounts. Real estate listings, including any such listings obtained from websites, are not sufficient to establish the fair market value of real property for purposes of the Illinois Estate Tax unless the listings provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value of real property will be determined on a case-by-case basis. 209 210 c) The requirements of this Section may be satisfied by the filing of the most recent United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal				
185 schedules without adjusted taxable gifts; 186 187 188 189 189 189 189 189 189 180 190 191 191 192 192 193 189 189 189 189 189 189 189 189 189 189			17)	·
18) An explanation and documentation of the distribution of the estate, 188 including, but not limited to, wills, trusts, and beneficiary designations, 189 including the social security numbers of such transferees; 190 191 192 A schedule of assets as to which an Illinois QTIP election is claimed. The 192 schedule need not list the individual assets included in the corpus of a trust 193 made subject to election; and 194 195 200 A schedule of assets of the decedent's predeceased spouse for which an 196 Illinois QTIP election was claimed, valued as of the date of death of the 197 current decedent. The schedule should include the total value of the 198 corpus of any trust made subject to the election. 199 200 b) All schedules provided as part of the itemized schedule of assets shall include 201 documentation of values and amounts. Real estate listings, including any such 202 listings obtained from websites, are not sufficient to establish the fair market 203 value of real property for purposes of the Illinois Estate Tax unless the listings 204 provide the underlying factual basis for the value assigned to the property and 205 explain how the value assigned was determined. "Underlying factual basis" may 206 consist of comparable sales, recent appraised value, or other indicators of fair 207 market value. The adequacy of any documentation submitted to establish the fair 208 market value. The adequacy of any documentation submitted to establish the fair 209 market value of real property will be determined on a case-by-case basis. 209 210 c) The requirements of this Section may be satisfied by the filing of the most recent 211 United States Estate (and Generation-Skipping Transfer) Tax Return published by 212 the Internal Revenue Service or by the filing of any other form that contains the 213 same information. Any return or other form must state the value of each 214 individual asset and deduction. If a return has been filed with the Internal				<u> </u>
188				schedules without adjusted taxable gifts;
including, but not limited to, wills, trusts, and beneficiary designations, including the social security numbers of such transferees; 190 191 192 193 A schedule of assets as to which an Illinois QTIP election is claimed. The schedule need not list the individual assets included in the corpus of a trust made subject to election; and 194 195 200 A schedule of assets of the decedent's predeceased spouse for which an Illinois QTIP election was claimed, valued as of the date of death of the current decedent. The schedule should include the total value of the corpus of any trust made subject to the election. 198 200 b) All schedules provided as part of the itemized schedule of assets shall include documentation of values and amounts. Real estate listings, including any such listings obtained from websites, are not sufficient to establish the fair market value of real property for purposes of the Illinois Estate Tax unless the listings provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value. The adequacy of any documentation submitted to establish the fair market value of real property will be determined on a case-by-case basis. 209 210 c) The requirements of this Section may be satisfied by the filing of the most recent United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal				
including the social security numbers of such transferees; 190 191 192 193 194 195 200 196 197 201 198 201 198 201 199 201 201 202 202 203 204 205 206 207 208 208 208 209 208 209 208 209 208 209 209 209 200 209 200 209 200 209 200 209 200 209 200 209 200 200			18)	•
190 191 192 193 194 195 200 A schedule of assets as to which an Illinois QTIP election is claimed. The schedule need not list the individual assets included in the corpus of a trust made subject to election; and 194 195 200 A schedule of assets of the decedent's predeceased spouse for which an Illinois QTIP election was claimed, valued as of the date of death of the current decedent. The schedule should include the total value of the corpus of any trust made subject to the election. 199 200 b) All schedules provided as part of the itemized schedule of assets shall include documentation of values and amounts. Real estate listings, including any such listings obtained from websites, are not sufficient to establish the fair market value of real property for purposes of the Illinois Estate Tax unless the listings provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value of real property will be determined on a case-by-case basis. 209 210 c) The requirements of this Section may be satisfied by the filing of the most recent United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal				•
191				including the social security numbers of such transferees;
schedule need not list the individual assets included in the corpus of a trust made subject to election; and 20) A schedule of assets of the decedent's predeceased spouse for which an Illinois QTIP election was claimed, valued as of the date of death of the current decedent. The schedule should include the total value of the corpus of any trust made subject to the election. b) All schedules provided as part of the itemized schedule of assets shall include documentation of values and amounts. Real estate listings, including any such listings obtained from websites, are not sufficient to establish the fair market value of real property for purposes of the Illinois Estate Tax unless the listings provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value of real property will be determined on a case-by-case basis. c) The requirements of this Section may be satisfied by the filing of the most recent United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal	190			
193 194 195 20) A schedule of assets of the decedent's predeceased spouse for which an 196 197 198 200 b) All schedules provided as part of the itemized schedule of assets shall include 201 202 documentation of values and amounts. Real estate listings, including any such 203 204 listings obtained from websites, are not sufficient to establish the fair market 204 value of real property for purposes of the Illinois Estate Tax unless the listings 204 provide the underlying factual basis for the value assigned to the property and 205 explain how the value assigned was determined. "Underlying factual basis" may 206 consist of comparable sales, recent appraised value, or other indicators of fair 207 market value. The adequacy of any documentation submitted to establish the fair 208 market value of real property will be determined on a case-by-case basis. 209 210 c) The requirements of this Section may be satisfied by the filing of the most recent 211 United States Estate (and Generation-Skipping Transfer) Tax Return published by 212 the Internal Revenue Service or by the filing of any other form that contains the 213 same information. Any return or other form must state the value of each 214 individual asset and deduction. If a return has been filed with the Internal	191		<u>19)</u>	A schedule of assets as to which an Illinois QTIP election is claimed. The
194 195 20) A schedule of assets of the decedent's predeceased spouse for which an 196 Illinois QTIP election was claimed, valued as of the date of death of the 197 current decedent. The schedule should include the total value of the 198 corpus of any trust made subject to the election. 199 200 b) All schedules provided as part of the itemized schedule of assets shall include 201 documentation of values and amounts. Real estate listings, including any such 202 listings obtained from websites, are not sufficient to establish the fair market 203 value of real property for purposes of the Illinois Estate Tax unless the listings 204 provide the underlying factual basis for the value assigned to the property and 205 explain how the value assigned was determined. "Underlying factual basis" may 206 consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value of real property will be determined on a case-by-case basis. 209 210 c) The requirements of this Section may be satisfied by the filing of the most recent 211 United States Estate (and Generation-Skipping Transfer) Tax Return published by 212 the Internal Revenue Service or by the filing of any other form that contains the 213 same information. Any return or other form must state the value of each 214 individual asset and deduction. If a return has been filed with the Internal	192			schedule need not list the individual assets included in the corpus of a trust
195	193			made subject to election; and
Illinois QTIP election was claimed, valued as of the date of death of the current decedent. The schedule should include the total value of the corpus of any trust made subject to the election. All schedules provided as part of the itemized schedule of assets shall include documentation of values and amounts. Real estate listings, including any such listings obtained from websites, are not sufficient to establish the fair market value of real property for purposes of the Illinois Estate Tax unless the listings provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value of real property will be determined on a case-by-case basis. The requirements of this Section may be satisfied by the filing of the most recent United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal	194			
current decedent. The schedule should include the total value of the corpus of any trust made subject to the election. All schedules provided as part of the itemized schedule of assets shall include documentation of values and amounts. Real estate listings, including any such listings obtained from websites, are not sufficient to establish the fair market value of real property for purposes of the Illinois Estate Tax unless the listings provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value of real property will be determined on a case-by-case basis. The requirements of this Section may be satisfied by the filing of the most recent United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal	195		<u>20)</u>	A schedule of assets of the decedent's predeceased spouse for which an
198 200 b) All schedules provided as part of the itemized schedule of assets shall include 201 documentation of values and amounts. Real estate listings, including any such listings obtained from websites, are not sufficient to establish the fair market 203 value of real property for purposes of the Illinois Estate Tax unless the listings 204 provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may 206 consist of comparable sales, recent appraised value, or other indicators of fair 207 market value. The adequacy of any documentation submitted to establish the fair 208 market value of real property will be determined on a case-by-case basis. 209 210 c) The requirements of this Section may be satisfied by the filing of the most recent 211 United States Estate (and Generation-Skipping Transfer) Tax Return published by 212 the Internal Revenue Service or by the filing of any other form that contains the 213 same information. Any return or other form must state the value of each 214 individual asset and deduction. If a return has been filed with the Internal	196			Illinois QTIP election was claimed, valued as of the date of death of the
b) All schedules provided as part of the itemized schedule of assets shall include documentation of values and amounts. Real estate listings, including any such listings obtained from websites, are not sufficient to establish the fair market value of real property for purposes of the Illinois Estate Tax unless the listings provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value of real property will be determined on a case-by-case basis. c) The requirements of this Section may be satisfied by the filing of the most recent United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal	197			current decedent. The schedule should include the total value of the
b) All schedules provided as part of the itemized schedule of assets shall include documentation of values and amounts. Real estate listings, including any such listings obtained from websites, are not sufficient to establish the fair market value of real property for purposes of the Illinois Estate Tax unless the listings provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value of real property will be determined on a case-by-case basis. c) The requirements of this Section may be satisfied by the filing of the most recent United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal	198			corpus of any trust made subject to the election.
documentation of values and amounts. Real estate listings, including any such listings obtained from websites, are not sufficient to establish the fair market value of real property for purposes of the Illinois Estate Tax unless the listings provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value of real property will be determined on a case-by-case basis. C) The requirements of this Section may be satisfied by the filing of the most recent United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal	199			
documentation of values and amounts. Real estate listings, including any such listings obtained from websites, are not sufficient to establish the fair market value of real property for purposes of the Illinois Estate Tax unless the listings provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value of real property will be determined on a case-by-case basis. C) The requirements of this Section may be satisfied by the filing of the most recent United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal	200	b)	All sch	nedules provided as part of the itemized schedule of assets shall include
202 listings obtained from websites, are not sufficient to establish the fair market 203 value of real property for purposes of the Illinois Estate Tax unless the listings 204 provide the underlying factual basis for the value assigned to the property and 205 explain how the value assigned was determined. "Underlying factual basis" may 206 consist of comparable sales, recent appraised value, or other indicators of fair 207 market value. The adequacy of any documentation submitted to establish the fair 208 market value of real property will be determined on a case-by-case basis. 209 210 c) The requirements of this Section may be satisfied by the filing of the most recent 211 United States Estate (and Generation-Skipping Transfer) Tax Return published by 212 the Internal Revenue Service or by the filing of any other form that contains the 213 same information. Any return or other form must state the value of each 214 individual asset and deduction. If a return has been filed with the Internal	201	ŕ		
value of real property for purposes of the Illinois Estate Tax unless the listings provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value of real property will be determined on a case-by-case basis. C) The requirements of this Section may be satisfied by the filing of the most recent United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal				
provide the underlying factual basis for the value assigned to the property and explain how the value assigned was determined. "Underlying factual basis" may consist of comparable sales, recent appraised value, or other indicators of fair market value. The adequacy of any documentation submitted to establish the fair market value of real property will be determined on a case-by-case basis. 208 210 210 21				
205 206 207 208 208 209 210 20 C) The requirements of this Section may be satisfied by the filing of the most recent United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal	204			
206 consist of comparable sales, recent appraised value, or other indicators of fair 207 market value. The adequacy of any documentation submitted to establish the fair 208 market value of real property will be determined on a case-by-case basis. 209 210 c) The requirements of this Section may be satisfied by the filing of the most recent 211 United States Estate (and Generation-Skipping Transfer) Tax Return published by 212 the Internal Revenue Service or by the filing of any other form that contains the 213 same information. Any return or other form must state the value of each 214 individual asset and deduction. If a return has been filed with the Internal	205		_	
207 market value. The adequacy of any documentation submitted to establish the fair 208 market value of real property will be determined on a case-by-case basis. 209 210 c) The requirements of this Section may be satisfied by the filing of the most recent 211 United States Estate (and Generation-Skipping Transfer) Tax Return published by 212 the Internal Revenue Service or by the filing of any other form that contains the 213 same information. Any return or other form must state the value of each 214 individual asset and deduction. If a return has been filed with the Internal	206		consist	t of comparable sales, recent appraised value, or other indicators of fair
208 209 210 c) The requirements of this Section may be satisfied by the filing of the most recent 211 United States Estate (and Generation-Skipping Transfer) Tax Return published by 212 the Internal Revenue Service or by the filing of any other form that contains the 213 same information. Any return or other form must state the value of each 214 individual asset and deduction. If a return has been filed with the Internal	207		•	*
209 210 c) The requirements of this Section may be satisfied by the filing of the most recent 211 United States Estate (and Generation-Skipping Transfer) Tax Return published by 212 the Internal Revenue Service or by the filing of any other form that contains the 213 same information. Any return or other form must state the value of each 214 individual asset and deduction. If a return has been filed with the Internal				
The requirements of this Section may be satisfied by the filing of the most recent United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal				
United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal		c)	The re	quirements of this Section may be satisfied by the filing of the most recent
the Internal Revenue Service or by the filing of any other form that contains the same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal		- /		• • • • • • • • • • • • • • • • • • • •
same information. Any return or other form must state the value of each individual asset and deduction. If a return has been filed with the Internal				
individual asset and deduction. If a return has been filed with the Internal				• •
			•	·

216		pursua	ant to 26 CFR 20.2010-2(a)(7)(ii), a copy of the return shall be filed with the	
217		Attorn	ney General along with a second return or form which lists the value of each	
218		indivi	dual asset or deduction.	
219				
220	(Source	e: Am	ended at 48 Ill. Reg, effective)	
221				
222	Section 2000	.200 Es	state Tax Treatment of Civil Unions	
223				
224	a)	When	ever the Illinois Estate and Generation-Skipping Transfer Tax Act	
225		incorp	porates provisions of the Internal Revenue Code, those provisions shall be	
226		constr	ued in accordance with the Illinois Religious Freedom Protection and Civil	
227			Act [750 ILCS 75]. Individuals who are parties to a civil union recognized	
228			750 ILCS 75 occurring on or after June 1, 2011 shall be subject to the same	
229		obliga	tions and responsibilities and afforded the same protections and benefits	
230			this Part as apply to spouses in a marriage recognized for federal estate tax	
231			ses. An Illinois marital deduction, including qualified terminable terminal	
232		interes	st property (QTIPQ-TIP) elections allowable under 35 ILCS 405/2(b-1), is	
233	therefore allowable for property passing from a decedent to his or her partner in			
234			nion recognized under 750 ILCS 75 to the same extent that property	
235		transfe	erred to a husband or wife is allowable as a marital deduction, including	
236		QTIP	2 TIP elections, under the Internal Revenue Code (26 U.S.C. USC 2044 and	
237		2056).	. Because civil unions are not recognized for federal estate tax purposes,	
238			nion partners recognized under 750 ILCS 75 who elect a marital deduction	
239			TIPQ-TIP elections for Illinois estate tax purposes are required to file the	
240		_	ring returns, or the information required by Sections 2000.100 and	
241			110, with the Illinois Attorney General:	
242			•	
243		1)	A Form 700 Illinois Estate and Generation-Skipping Transfer Tax Return,	
244			available on the Attorney General's website	
245			(https://www.illinoisattorneygeneral.gov/estate-taxes/http://www.illinois	
246			attorneygeneral.gov/publications/estatetax.html);	
247				
248		2)	A pro forma Federal Form 706 United States Estate (and Generation-	
249			Skipping Transfer) Tax Return completed as if the federal estate tax	
250			statutes allowed a marital deduction to civil union partners recognized	
251			under 750 ILCS 75 that reflects the marital deductions claimed; and	
252				
253		3)	For those estates that were required to file a return in accordance with	
254			federal law (26 <u>U.S.C. USC</u> 2001 et seq.), a copy of the Federal Form 706	
255			United States Estate (and Generation-Skipping Transfer) Tax Return	
256			actually filed with the Internal Revenue Service.	

257

JCAR862000-2406413r02

258	b)	As used in this Section, the term "Qualified terminable terminal interest property"
259		or "QTIPQ-TIP" has the same meaning as prescribed in 26 <u>U.S.C.USC</u>
260		2056(b)(7)(B).
261		
262	(Source	e: Amended at 48 Ill. Reg, effective)