



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

SB3173

Introduced 2/24/2006, by Sen. Martin A. Sandoval

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/Art. 31.5 heading new  
35 ILCS 200/31.5-1 new  
35 ILCS 200/31.5-5 new  
35 ILCS 200/31.5-10 new  
35 ILCS 200/31.5-15 new

Amends the Property Tax Code to create the Residential Development Tax Law. Imposes a tax of \$5,000 on the privilege of constructing new residential housing in the State. Sets forth procedures for the collection of the tax. Provides that the proceeds of the tax must be deposited into the School Construction and Maintenance Fund. Provides that the tax is not imposed if any unit of local government imposes a fee or tax for the construction of the residential housing unit. Effective July 1, 2006.

LRB094 19687 BDD 56201 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

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 Property Tax Code is amended by adding  
5 Article 31.5 as follows:

6 (35 ILCS 200/Art. 31.5 heading new)

7 ARTICLE 31.5. RESIDENTIAL DEVELOPMENT TAX

8 (35 ILCS 200/31.5-1 new)

9 Sec. 31.5-1. Short title. This Article may be cited as the  
10 Residential Development Tax Law.

11 (35 ILCS 200/31.5-5 new)

12 Sec. 31.5-5. Tax imposed. A tax is imposed on the privilege  
13 of constructing new residential housing in the State at the  
14 rate of \$5,000 per residential housing unit constructed. For  
15 the purpose of this Article, "residential housing unit" means a  
16 building or portion of a building that is designed for  
17 habitation as a dwelling for one or more persons.

18 (35 ILCS 200/31.5-10 new)

19 Sec. 31.5-10. Collection of the tax.

20 (a) When a building permit or similar authorization is  
21 issued by a unit of local government for the construction of a  
22 residential housing unit, the owner of the property must, by  
23 the last day of the month following the calendar month in which  
24 the permit or similar authorization is issued, file a return  
25 with the Department and pay the tax imposed under this Article.

26 (b) If no building permit or similar authorization is  
27 issued by a unit of local government, then the owner of the  
28 property must, at least 10 days before construction commences,  
29 file a return with the Department and pay the tax imposed under

1 this Article.

2 (c) A return under this Article must be filed in a form and  
3 in the manner required by the Department.

4 (d) Each month, the Department must deposit into the School  
5 Construction and Maintenance Fund the amounts collected under  
6 this Article.

7 (35 ILCS 200/31.5-15 new)

8 Sec. 31.5-15. Application with local development fees. The  
9 tax under this Article is not imposed if any unit of local  
10 government imposes a fee or tax for the construction of the  
11 residential housing unit.

12 Section 99. Effective date. This Act takes effect July 1,  
13 2006.