

# HB5658



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

**HB5658**

Introduced 2/9/2010, by Rep. Tom Cross - Michael G. Connelly

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/8-11-3

from Ch. 24, par. 8-11-3

Amends the Illinois Municipal Code. Makes a technical change in a Section concerning municipal cigarette taxes.

LRB096 19324 RLJ 34715 b

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Municipal Code is amended by  
5 changing Section 8-11-3 as follows:

6 (65 ILCS 5/8-11-3) (from Ch. 24, par. 8-11-3)

7 Sec. 8-11-3. The ~~The~~ corporate authorities of any  
8 municipality may tax persons engaged in the business of selling  
9 cigarettes at retail, at a rate of not exceeding one cent per  
10 package of 20 cigarettes and may provide for the administration  
11 and enforcement of such tax, and for the collection thereof  
12 from the persons subject to the tax, or their suppliers, or  
13 from taxpayers and suppliers, as the corporate authorities  
14 determine to be necessary or practicable for the effective  
15 administration of the tax.

16 The tax herein authorized may not be levied during any  
17 period in which there is in force a municipal retailers'  
18 occupation tax levied under authority of Section 8-11-1. The  
19 adoption of a municipal retailers' occupation tax shall not,  
20 however, affect liabilities, obligations and penalties  
21 incurred by any persons pursuant to an ordinance or resolution  
22 imposing a cigarette tax under this Section 8-11-3 and  
23 providing for its administration and enforcement, in respect to

1 any period during which the cigarette tax has been in effect.  
2 Nor shall any suit, action or remedy instituted or authorized  
3 under the cigarette tax ordinance or resolution be abated or  
4 otherwise affected by the adoption of a municipal retailers'  
5 occupation tax ordinance or resolution.  
6 (Source: Laws 1961, p. 576.)