

# HB0124



## 98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB0124

Introduced 1/10/2013, by Rep. Jehan A. Gordon

### SYNOPSIS AS INTRODUCED:

35 ILCS 120/2-54

Amends the Retailers' Occupation Tax Act. Provides that a building materials exemption for River Edge Redevelopment Zones applies to all real estate (now, only industrial or commercial projects). Effective immediately.

LRB098 03948 HLH 33967 b

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 Retailers' Occupation Tax Act is amended by  
5 changing Section 2-54 as follows:

6 (35 ILCS 120/2-54)

7 Sec. 2-54. Building materials exemption; River Edge  
8 Redevelopment Zones. Each retailer that makes a qualified sale  
9 of building materials to be incorporated into real estate  
10 within a River Edge Redevelopment Zone in accordance with the  
11 River Edge Redevelopment Zone Act by remodeling,  
12 rehabilitating, or new construction may deduct receipts from  
13 those sales when calculating the tax imposed by this Act. For  
14 purposes of this Section, "qualified sale" means a sale of  
15 building materials that will be incorporated into real estate  
16 ~~as part of an industrial or commercial project~~ for which a  
17 Certificate of Eligibility for Sales Tax Exemption has been  
18 issued by the corporate authorities of the municipality in  
19 which the building project is located. To document the  
20 exemption allowed under this Section, the retailer must obtain  
21 from the purchaser a copy of the Certificate of Eligibility for  
22 Sales Tax Exemption issued by the corporate authorities of the  
23 municipality in which the real estate into which the building

1 materials will be incorporated is located. The Certificate of  
2 Eligibility for Sales Tax Exemption must contain all of the  
3 following:

4 (1) A statement that the ~~commercial or industrial~~  
5 project identified in the Certificate meets all the  
6 requirements of the jurisdiction in which the project is  
7 located.

8 (2) The location or address of the building project.

9 (3) The signature of the chief executive officer of the  
10 municipality in which the building project is located, or  
11 the chief executive officer's delegate.

12 In addition, the retailer must obtain a certificate from  
13 the purchaser that contains all of the following:

14 (1) A statement that the building materials are being  
15 purchased for incorporation into real estate located in a  
16 River Edge Redevelopment Zone included in a redevelopment  
17 project area in accordance with River Edge Redevelopment  
18 Zone Act.

19 (2) The location or address of the real estate into  
20 which the building materials will be incorporated.

21 (3) The name of the River Edge Redevelopment Zone in  
22 which that real estate is located.

23 (4) A description of the building materials being  
24 purchased.

25 (5) The purchaser's signature and date of purchase.

26 The provisions of this Section are exempt from Section

1 2-70.

2 (Source: P.A. 94-1021, eff. 7-12-06.)

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.