

ILLINOIS REGISTER

DEPARTMENT OF REVENUE

JANUARY 2022 REGULATORY AGENDA

a) Part (Heading and Code Citation): Income Tax, (86 Ill. Adm. Code 100)

1) Rulemaking:

A) Description: New rules will be added to Part 100 concerning the tax credit for Tech Prep Youth Vocational Programs (IITA Section 209); the reallocation of items under IITA Section 404; pass-through of investment credits from partnerships and Subchapter S corporations to their partners and shareholders; filing of refund claims and other collection matters, and interest computations.

Part 100 will be amended by adding rules and amending existing rules governing the computation of base income and net income under Article 2 of the IITA, the allocation and apportionment of base income under Article 3 of the IITA, and the filing of returns and payment of taxes under Articles 5 and 6 of the IITA.

Part 100 will be amended to update the provisions defining unitary business groups and computing the combined tax liability of unitary business groups.

Part 100 will be amended by adding rules providing guidance on the addition and subtraction modifications allowed in IITA Section 203, on the credit for residential property taxes paid in IITA Section 208, on the acceptance of substitute W-2s, electronic filing of returns, and rounding amounts on returns to the nearest dollar.

Part 100 will be amended to clarify definitions of terms in IITA Section 1501(a).

Part 100 will be amended to implement legislation enacted, including EDGE credits, new construction EDGE credits, the historic preservation and hospital credits, the foreign tax credit, the historic preservation credit, the River Edge Redevelopment zone historic property rehabilitation credit, the credits and subtractions allowed with respect to enterprise zones, credits for hiring veterans and ex-felons, bonus depreciation adjustments, withholding by employers, partnerships, Subchapter S corporations and trusts, changes to apportionment formulas and taxation of real estate investment trusts and their investors, the data center investment credit, the

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surcharge on gaming licensees, the apprenticeship education expense credit, appeals to the Tax Tribunal, and the Illinois Secure Choice Savings Program Act.

Part 100 will be amended to implement legislation enacted, including the allocation and apportionment of winnings from sports wagering, the extension of the limitations period for issuing a notice of deficiency upon filing claims for refund, and changes to the bulk sales notification procedures.

Part 100 will be amended to implement legislation enacted, including the REV Illinois credit, REV construction jobs credit, enterprise zone construction jobs credit, high impact business construction jobs credit and river edge construction jobs credit.

Part 100 will be amended to incorporate sunset dates and extensions for various credits.

Part 100 will be amended to implement legislation enacted, including the election to pay a pass-through entity tax.

Part 100 will be amended to implement legislation enacted, including the computation of and restrictions on carrying over net losses under IITA Section 207.

Part 100 will be amended to provide additional guidance on nexus and on the Illinois income tax consequences of changes in federal income tax laws.

Finally, the Department will continue the updating and correction of Part 100.

- B) Statutory Authority: 35 ILCS 5/101 and 35 ILCS 5/1401
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: As noted above, there will be a number of rulemakings proposed with respect to Part 100 over the next six

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months. We anticipate filing rulemakings amending Part 100 on a regular basis during the next six months of this year.

E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings will affect any business that incurs an income tax filing obligation.

F) Agency contact person for information:

Brian E. Fliflet
Deputy General Counsel, Income Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

(217) 782-2844

G) Related rulemakings and other pertinent information: None

b) Part (Heading and Code Citation): Retailers' Occupation Tax, (86 Ill. Adm. Code 130)

1) Rulemaking:

A) Description: Amendments will be made to update the Retailers' Occupation Tax regulations to reflect new statutory developments, decisional law and Department policies. Rulemakings will also be promulgated as part of the Department's continuing effort to codify policies contained in various letter rulings and to delete outdated provisions.

Included are changes to Section 130.340 governing the rolling stock exemption to reflect the provisions of P.A. 100-0321 and changes to Sections 130.455 and 130.2013 to implement the provisions of P.A. 98-628 and P.A. 98-1080, which change the method of determining the "selling price" for first division and certain types of second division motor vehicles that are leased for defined periods in excess of one year. Changes will also be made to implement the provisions of P.A. 100-1101, which provides an exemption for sales by Illinois retailers to purchasers that are exempt by virtue of federal law. Various regulations throughout Part 130

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will also be amended or added as necessary in order to accommodate the new requirements for tax imposed by P.A. 101-604 on remote retailers and marketplace facilitators, in order to harmonize them with the Leveling the Playing Field for Illinois Retail Act. Included are changes to Sections 130.101 (Occasional Sales); 130.110 (Character and Rate of Tax); 130.225 (Drop Shipments); and 130.1915 (Auctioneers and Agents).

Changes will be made to Section 130.311 to reflect the amendments made by P.A. 102-0004 regarding testing materials and needles that qualify for the 1% rate of tax. Changes will be made to Section 130.120(vv) to reflect the extension of the sunset date for the exemption for menstrual pads, tampons and menstrual cups contained in P.A. 102-0016. Changes will be made to Section 130.425 to reflect the amendments to Section 1 of the Act made by P.A. 102-0353 regarding the removal of the limits on traded-in property. Changes will be made to reflect the change made by P.A. 102-0634 that excludes persons licensed under the Auction License Act from the definition of “marketplace facilitator.” Changes will be made to reflect the new building materials exemption for electric vehicle manufacturers, electric vehicle component parts manufacturers, and electric vehicle power supply manufacturers contained in P.A. 102-0669.

- B) Statutory Authority: 35 ILCS 120/12
- C) Scheduled meetings/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: As noted above, there will be a number of rulemakings proposed with respect to Part 130 over the next six months. We anticipate filing rulemakings amending Part 130 on a regular basis during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: All businesses that sell tangible personal property at retail will be affected by these regulations.
- F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales and Excise Tax

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Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794

(217) 782-2844

G) Related rulemakings and other pertinent information: None

c) Part (Heading and Code Citation): Service Occupation Tax, (86 Ill. Adm. Code 140)

1) Rulemaking:

A) Description: Amendments will be made to update the Service Occupation Tax to reflect new statutory developments, decisional law and Department policies. Included are changes to Sections 140.101 and 140.126 necessary to reflect changes made by P.A. 102-0016 to Section 3-10 of the Service Occupation Tax Act regarding health care institutions that qualify for the 1% rate of tax on food prepared for immediate consumption

B) Statutory Authority: 35 ILCS 110/12

C) Scheduled meetings/hearing dates: No schedule has been established at this time.

D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 140 during the next six months of this year.

E) Effect on small business, small municipalities or not-for-profit corporations: These amendments will affect persons subject to the Service Occupation Tax.

F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794

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(217) 782-2844

G) Related rulemakings and other pertinent information: None

d) Part (Heading and Code Citation): Use Tax, (86 Ill. Adm. Code 150)

1) Rulemaking:

A) Description: Amendments will be made to update the Use Tax regulations to reflect new statutory developments, decisional law and Department policies. Included are changes to Sections 150.201 (General Definitions); 150.705 (Use Tax on Items that are Titled or Registered in Illinois); 150.802 (Trade Show Appearances); 150.803 (Wayfair Nexus – Nexus Without Physical Presence); and 150.804 (Marketplace Facilitators). These various regulations in Part 150 will be amended as necessary to accommodate the new requirements for tax imposed upon remote retailers and marketplace facilitators by P.A. 101-604 and by P.A. 101-31 (Leveling the Playing Field for Illinois Retail Act).

B) Statutory Authority: 35 ILCS 105/12

C) Scheduled meetings/hearing dates: No schedule has been established at this time.

D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 150 during the next six months of this year.

E) Effect on small business, small municipalities or not-for-profit corporations: These amendments will affect persons subject to the Use Tax.

F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794

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(217) 782-2844

- G) Related rulemakings and other pertinent information: None
- e) Part (Heading and Code Citation): Leveling the Playing Field For Illinois Retail Act, (86 Ill. Adm. Code 131)
- 1) Rulemaking:
- A) Description: Changes will be made as necessary to the provisions of this recently added Part as implementation of this program continues, or in the event that legislation affecting this program is enacted.
- B) Statutory Authority: 35 ILCS 185/1 et seq.; 35 ILCS 120/2
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 131 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings will affect remote retailers, marketplace sellers and marketplace facilitators making sales to Illinois purchasers. They will also affect business entities wishing to obtain certification as a certified service provider or who wish their automated sales tax calculation systems to be certified by the Department.
- F) Agency contact person for information:
- David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794
- (217) 782-2844
- G) Related rulemakings and other pertinent information: None

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f) Part (Heading and Code Citation): Bingo License and Tax Act, (86 Ill. Adm. Code 430)

1) Rulemaking:

A) Description: Regulations will be updated to reflect the provisions of Public P.A. 93-742, which authorizes the Department to issue 3-year bingo licenses, including regular licenses, limited licenses or senior citizen restricted licenses; the provisions of P.A. 95-228, dealing with licensing; and the provisions of P.A. 97-1150, implementing the Criminal Code of 2012. The regulations will also be amended to clarify definitions; record keeping requirements; the documentation required for a license application; the provisions of P.A. 99-177 regarding special permits, and the provisions of other recent legislation.

B) Statutory Authority: 230 ILCS 25/1

C) Scheduled meeting/hearing dates: No schedule has been established at this time.

D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 430 during the next six months of this year.

E) Effect on small business, small municipalities or not-for-profit corporations: Entities eligible for bingo licenses will be affected by these rulemakings.

F) Agency contact person for information:

Brian E. Fliflet
Deputy General Counsel, Income Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794

(217) 782-2844

G) Related rulemakings and other pertinent information: There are no related rulemakings.

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- g) Part (Heading and Code Citation): Pull Tabs and Jar Games Act, (86 Ill. Adm. Code 432)
- 1) Rulemaking:
- A) Description: Regulations will be amended to implement the amendments in P.A. 95-228 dealing with licensing and to clarify record keeping requirements and the documentation required for a license application, the amendments in P.A. 97-1150, implementing the Criminal Code of 2012, and other recent legislation.
- B) Statutory Authority: 230 ILCS 20/1
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 432 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: Entities eligible for pull tabs and jar games licenses will be affected by these rulemakings.
- F) Agency contact person for information:
- Brian E. Fliflet
Deputy General Counsel, Income Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794
- (217) 782-2844
- G) Related rulemakings and other pertinent information: There are no related rulemakings.
- h) Part (Heading and Code Citation): Parking Excise Tax, (86 Ill. Adm. Code 195)

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- 1) Rulemaking:
- A) Description: Amendments will be made to update the Parking Excise Tax regulations to reflect new statutory developments, decisional law and Department policies. Rulemakings will also be promulgated as part of the Department's continuing effort to codify policies contained in various letter rulings and to delete outdated provisions.
 - B) Statutory Authority: 35 ILCS 525/10-50
 - C) Scheduled meeting/hearing dates: No schedule has been established at this time.
 - D) Date agency anticipates First Notice: We anticipate filing a rulemaking amending Part 195 during the next six months of this year.
 - E) Effect on small business, small municipalities and not-for-profit corporations: The rulemaking will provide guidance for any business operating parking areas or garages.
 - F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794

(217) 782-2844
 - G) Related rulemakings and other pertinent information: None

i) Part (Heading and Code Citation): Invest in Kids Act, (86 Ill. Adm. Code 1000)

- 1) Rulemaking:
- A) Description: Amendments will be made to update the Retailers' Occupation Tax regulations to reflect new statutory developments, decisional law and Department policies. Rulemakings will also be

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promulgated as part of the Department's continuing effort to codify policies contained in various letter rulings and to delete outdated provisions. Included are amendments to reflect changes made by P.A. 102-0016.

- B) Statutory Authority: 35 ILCS 40/60(b)
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: We anticipate filing a rulemaking during the next six months of this year.
- E) Effect on small business, small municipalities and not-for-profit corporations: The rulemaking will provide guidance for qualified schools, taxpayers, custodians, students, technical academies, and scholarship organizations participating in the Invest in Kids scholarship program.
- F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794

(217) 782-2844

- G) Related rulemakings and other pertinent information: None
- j) Parts (Heading and Code Citations): Home Rule County Retailers' Occupation Tax, (86 Ill. Adm. Code 220); Home Rule Municipal Retailers' Occupation Tax (86 Ill. Adm. Code 270); Regional Transportation Authority Retailers' Occupation Tax, (86 Ill. Adm. Code 320); Metro-East Mass Transit District Retailers' Occupation Tax, (86 Ill. Adm. Code 370); Metro-East Park and Recreation District Retailers' Occupation Tax, (86 Ill. Adm. Code 395); County Water Commission Retailers' Occupation Tax Law, (86 Ill. Adm. Code 630); Special County Retailers' Occupation Tax for Public Safety, (86 Ill. Adm. Code 670); Salem Civic Center Retailers' Occupation Tax, (86 Ill. Adm. Code 690); Non-Home Rule Municipal Retailers' Occupation Tax Law, (86 Ill. Adm. Code

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693); County Motor Fuel Tax (86 Ill. Adm. Code 695); Municipal Motor Fuel Tax Law, (86 Ill. Adm. Code 696)

1) Rulemaking:

A) Description: Rules will be amended to reflect new statutory developments, decisional law and Department policies. Provisions governing sourcing found within these local tax rules will be amended to accommodate the changes made for the tax liability of remote retailers and marketplace facilitators and marketplace sellers by P.A. 101-604 and P.A. 101-31.

B) Statutory Authority: 35 ILCS 120/2-12; 120/12

C) Scheduled meeting/hearing dates: No schedule has been established at this time.

D) Date agency anticipates First Notice: We anticipate filing these rulemakings during the next six months of this year.

E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings will affect any small business that makes sales at retail in a jurisdiction imposing a local occupation tax.

F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson Street, MC 5-500
Springfield, IL 62794

(217) 782-2844

G) Related rulemakings and other pertinent information: These regulations will be amended to harmonize the current sourcing rules with the changes made for the tax liability of remote retailers and marketplace facilitators and marketplace sellers by P.A. 101-604 and P.A. 101-31.

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- k) Part (Heading and Code Citation): Telecommunications Excise Tax, (86 Ill. Adm. Code 495)
- 1) Rulemaking:
- A) Description: Rules will be amended to reflect new statutory developments, decisional law and Department policies. Includes changes made to the Act by P.A. 102-0669 that exempt electric vehicle manufacturers, electric vehicle component parts manufacturers, or electric vehicle power supply manufacturers at REV Illinois project locations from Telecommunication Excise Tax.
- B) Statutory Authority: 35 ILCS 630/17
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 495 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings will affect any small business that makes sales of telecommunications.
- F) Agency contact person for information:
- David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson Street, MC 5-500
Springfield, IL 62794
- (217) 782-2844
- G) Related rulemakings and other pertinent information: None
- l) Part (Heading and Code Citation): Gas Revenue Tax Act, (86 Ill. Adm. Code 470)
- 1) Rulemaking:

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- A) Description: Rules will be amended to reflect new statutory developments, decisional law and Department policies. Includes changes made to the Act by P.A. 102-0669 that exempt electric vehicle manufacturers, electric vehicle component parts manufacturers, or electric vehicle power supply manufacturers at REV Illinois project locations from Gas Revenue Tax.
- B) Statutory Authority: 35 ILCS 615/12a
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 470 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings will affect any small business that distribute gas for use and consumption.
- F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson Street, MC 5-500
Springfield, IL 62794

(217) 782-2844

- G) Related rulemakings and other pertinent information: None
- m) Part (Heading and Code Citation): Electricity Excise Tax Law, (86 Ill. Adm. Code 511)
- 1) Rulemaking:
 - A) Description: Rules will be amended to reflect new statutory developments, decisional law and Department policies. Includes changes

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made to the Law by P.A. 102-0669 that exempt electricity used at REV Illinois project locations from Electricity Excise Tax.

- B) Statutory Authority: 35 ILCS 640/2-14
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 511 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings will affect any small business that furnish and distribute electricity.
- F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson Street, MC 5-500
Springfield, IL 62794

(217) 782-2844

- G) Related rulemakings and other pertinent information: None

n) Part (Heading and Code Citation): Rental Purchase Agreement Occupation and Use Tax Act, (86 Ill. Adm. Code 125) (New Part)

1) Rulemaking:

- A) Description: A new part will be added to implement the Rental Purchase Agreement Occupation and Use Tax Act.
- B) Statutory Authority: 35 ILCS 180/40
- C) Scheduled meetings/hearing dates: No schedule has been established at this time.

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- D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 125 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These amendments will affect businesses that lease merchandise under rental purchase agreements and their customers.
- F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794

(217) 782-2844

- G) Related rulemakings and other pertinent information: None
- o) Part (Heading and Code Citation): County Water Commission Retailers' Occupation Tax, (86 Ill. Adm. Code 630)
 - 1) Rulemaking:
 - A) Description: This rulemaking will repeal rules due to the statutory termination of the tax on June 1, 2016.
 - B) Statutory Authority: County Water Commission Act of 1985 [70 ILCS 3720/4]
 - C) Scheduled meetings/hearing dates: No schedule has been established at this time.
 - D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 630 during the next six months of this year.
 - E) Effect on small business, small municipalities or not-for-profit corporations: None

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F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794

(217) 782-2844

G) Related rulemakings and other pertinent information: None

p) Part (Heading and Code Citation): County Water Commission Service Occupation Tax,
(86 Ill. Adm. Code 640)

1) Rulemaking:

A) Description: This rulemaking will repeal rules due to the statutory termination of the tax on June 1, 2016.

B) Statutory Authority: County Water Commission Act of 1985 [70 ILCS 20/4]

C) Scheduled meetings/hearing dates: No schedule has been established at this time.

D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 640 during the next six months of this year.

E) Effect on small business, small municipalities or not-for-profit corporations: None

F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500

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Springfield, IL 62794

(217) 782-2844

G) Related rulemakings and other pertinent information: None

q) Part (Heading and Code Citation): County Water Commission Use Tax, (86 Ill. Adm. Code 650)

1) Rulemaking:

A) Description: This rulemaking will repeal rules due to the statutory termination of the tax on June 1, 2016.

B) Statutory Authority: County Water Commission Act of 1985 [70 ILCS 3720/4]

C) Scheduled meetings/hearing dates: No schedule has been established at this time.

D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 650 during the next six months of this year.

E) Effect on small business, small municipalities or not-for-profit corporations: None

F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794

(217) 782-2844

G) Related rulemakings and other pertinent information: None

r) Part (Heading and Code Citation): Property Tax Code, (86 Ill. Adm. Code 110)

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1) Rulemaking:

- A) Description: Section 110.115 will be amended to clarify, update or remove old language in non-homestead exemption proceedings in Section 110.115, and to correct a statutory timeframe for filing for administrative review of non-homestead exemptions in Section 110.145 from 20 days to 60 days. Neither rule has been changed since 1996. The rulemaking would remove mention of both the non-existent Board of Appeals and exemption field auditors, update exemption form numbers and examples, and remove several outdated filing requirements.

Section 110.116 will be amended to clarify that all prospective tenants are to receive a copy of the project's non-eviction policy and that the owners must have a written statement on file from all current tenants that they have received a copy of the non-eviction policy. It also will change a seven-line sentence into three easier to understand sentences, correct a misspelled word and remove an unnecessary "The" in two headings.

Section 110.125 will be amended to eliminate the now non-existent Board of Appeals from Section 110.155. This rulemaking is designed to update this 2000 version of Section 110.155 by eliminating references to the 1999 Public Act and by changing "handicapped individual" to "person with disabilities."

Section 110.135 will be amended to update this 1996 version of Section 110.135 by eliminating references to the now non-existent Board of Appeals (now Board of Review), "photostatic" copy and the year 1996, to correct real "estate" to real "property," and to clarify the Section by adding the words "affected" to taxing bodies and change the words "at fault" to "in error."

Section 110.145 will be amended to clarify, update or remove old language in non-homestead exemption proceedings in Section 110.115, and to correct a statutory timeframe for filing for administrative review of non-homestead exemptions in Section 110.145 from 20 days to 60 days. Neither rule has been changed since 1996. The rulemaking would remove mention of both the non-existent Board of Appeals and exemption field

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auditors, update exemption form numbers and examples, and remove several outdated filing requirements.

Section 110.155 will be amended to update this 2000 version of Section 110.155 by eliminating references to the 1999 Public Act and by changing “handicapped individual” to “person with disabilities.”

Section 110.180 will be amended to eliminate the Department’s requirement of having two signatures rather than one on the Department’s grade request slip. It also upgrades language from “handicapped individuals” to “persons with disabilities.”

- B) Statutory Authority: Implementing the Property Tax Code [35 ILCS 200] and authorized by Section 2505-625 of the Civil Administrative Code of Illinois [20 ILCS 2505/2505-625]
- C) Scheduled meeting/hearing dates: No schedule has been established.
- D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 110 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: None.
- F) Agency contact person for information:

Robin W. Gill
Associate Counsel, Property Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794

(217) 524-4886

- G) Related rulemakings and other pertinent information: None

s) Part (Heading and Code Citation): Real Estate Transfer Tax, (86 Ill. Adm. Code 120)

1) Rulemaking:

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- A) Description: Section 120.5 will be amended to eliminate language discussing requirements prior to 2004 in Section 120.5(a) and to add the notification that electronic signatures affixed to electronically transmitted transfer declarations are as legally binding as handwritten signatures. It also will eliminate unnecessary language describing forms for transfers that occurred prior to 2000 and correct the term “Web site” to “website.” The rulemaking also will update the rule to comport with the Department’s technology in allowing recorders of deeds to utilize an approved interface to electronically transfer declarations and order transfer stamps from the Department for recording in the county offices. This rulemaking will also require county assessment offices utilizing the Department’s electronic transfer declaration system to provide a file layout to both validate the information transmitted and for any other purpose as determined by the Department.
- B) Statutory Authority: Implementing the Property Tax Code [35 ILCS 200] and authorized by Section 2505-625 of the Civil Administrative Code of Illinois [20 ILCS 2505/2505-625]
- C) Scheduled meeting/hearing dates: No schedule has been established.
- D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 120 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Robin W. Gill
Associate Counsel, Property Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794
- (217) 524-4886
- G) Related rulemakings and other pertinent information: None

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- t) Part (Heading and Code Citation): Local Government Revenue Recapture Act, (86 Ill. Adm. Code 217)
- 1) Rulemaking:
- A) Description: A new part (Part 217) will be added to implement the provisions of P.A. 101-628, which governs the Local Government Revenue Recapture Act, including the Certified Audit Pilot Project. The new part will include, but will not be limited to, rules that implement the certified audit pilot project. New rules will concern the availability of the certification program required for participation in the project; the requirements and basis for the Department's establishment of just cause for approval or rejection of participation by taxpayers; procedures for assessment, collection and payment of liabilities or refund of overpayments and provisions for taxpayer to obtain informal and formal review of certified audit results; the nature, frequency, and basis for the Department's review of certified audits conducted by qualified practitioners, including the requirements for documentation, work-paper retention and access, and reporting; and requirements for conducting certified audits and for review of agReid-upon procedures.
- B) Statutory Authority: P.A. 101-628.
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: We anticipate filing such rulemakings adding Part 217 within the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings will affect municipalities that have initiated a tax compliance referral with the Department; small businesses for which a tax compliance referral has been submitted to the Department may participate in a limited scope audit under the Certified Audit Pilot Project.
- F) Agency contact person for information:

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David Reid
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 West Jefferson, MC 5-550
Springfield, IL 62794

(217) 782-2844

- G) Related rulemakings and other pertinent information: None
- u) Parts (Heading and Code Citations): Metro-East Park and Recreation District Retailers' Occupation Tax, (86 Ill. Adm. Code 395); Metro-East Park and Recreation District Service Occupation Tax, (86 Ill. Adm. Code 396); Motor Fuel Tax, (86 Ill. Adm. Code 500); Environmental Impact Fee, (86 Ill. Adm. Code 501); County Water Commission Retailers' Occupation Tax, (86 Ill. Adm. Code 630); County Water Commission Service Occupation Tax, (86 Ill. Adm. Code 640); Special County Retailers' Occupation Tax for Public Safety, (86 Ill. Adm. Code 670); Special County Service Occupation Tax for Public Safety, (86 Ill. Adm. Code 680); Salem Civic Center Retailers' Occupation Tax, (86 Ill. Adm. Code 690); Salem Civic Center Service Occupation Tax, (86 Ill. Adm. Code 691)
- 1) Rulemaking:
- A) Description: Rules will be amended to reflect the changes made by P.A. 101-604 that exempts aviation fuel from various local occupation taxes, the Motor Fuel Tax on Receivers, and the Environmental Impact Fee.
- B) Statutory Authority: 35 ILCS 505/8a, 415 ILCS 125/310; 55 ILCS 5/5-1006.5; 70 ILCS 200/245-12; 70 ILCS 1605/30; and 70 ILCS 3720/4
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: We anticipate filing these rulemakings amending these Parts during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings will have a minor effect on any small business that sells aviation fuel at retail in a jurisdiction imposing the

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affected local occupation taxes or is a receiver of aviation fuel subject to the Motor Fuel Tax on Receivers and the Environmental Impact Fee. The rulemakings will impact small municipalities only if an aviation fuel retailer is located in the municipality. The rulemakings will have a minor impact on not for profit corporations only if they purchase aviation fuel.

F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson Street, MC 5-500
Springfield, IL 62794

(217) 782-2844

G) Related rulemakings and other pertinent information: None

- v) Parts (Heading and Code Citations): Home Rule County Retailers' Occupation Tax, (86 Ill. Adm. Code 220); Home Rule County Service Occupation Tax, (86 Ill. Adm. Code 230); Home Rule Municipal Retailers' Occupation Tax, (86 Ill. Adm. Code 270); Home Rule Municipal Service Occupation Tax, (86 Ill. Adm. Code 280); Regional Transportation Authority Retailers' Occupation Tax, (86 Ill. Adm. Code 320); Regional Transportation Authority Service Occupation Tax, (86 Ill. Adm. Code 340); Metro-East Park and Recreation District Retailers' Occupation Tax, (86 Ill. Adm. Code 395); Metro-East Park and Recreation District Service Occupation Tax, (86 Ill. Adm. Code 396); County Water Commission Retailers' Occupation Tax, (86 Ill. Adm. Code 630); County Water Commission Service Occupation Tax, (86 Ill. Adm. Code 640); Special County Retailers' Occupation Tax for Public Safety, (86 Ill. Adm. Code 670); Special County Service Occupation Tax for Public Safety, (86 Ill. Adm. Code 680); Non-Home Rule Municipal Retailers' Occupation Tax, (86 Ill. Adm. Code 693); and Non-Home Rule Municipal Service Occupation Tax, (86 Ill. Adm. Code 694)

1) Rulemaking:

- A) Description: Rules will be amended to reflect the technical changes made by P.A. 100-1171 related to how these rules describe the exemption of low-rate items (grocery food and qualifying drugs, etc.) from these local taxes.

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- B) Statutory Authority: 55 ILCS 5/5-1006; 55 ILCS 5/5-1006.5; 55 ILCS 5/5-1007; 65 ILCS 5/8-11-1; 65 ILCS 5/8-11-1.3; 65 ILCS 5/8-11-1.4; 65 ILCS 5/8-11-5; 70 ILCS 1605/30; 70 ILCS 3615/4.03; and 70 ILCS 3720/4
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: We anticipate filing rulemakings amending these Parts during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings implement technical changes and will have no impact on small business, municipalities, or not for profit corporations.
- F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson Street, MC 5-500
Springfield, IL 62794

(217) 782-2844

- G) Related rulemakings and other pertinent information: None

w) Part (Heading and Code Citation): Charitable Games Act, (86 Ill. Adm. Code 435)

1) Rulemaking:

- A) Description: Regulations will be amended to implement the amendments in P.A. 95-228 dealing with licensing and to clarify record keeping requirements and the documentation required for a license application, the amendments in P.A. 97-1150, implementing the Criminal Code of 2012, the amendments in P.A. 100-286 dealing with licensing, the amendments in P.A. 100-1171 dealing with payments and other recent legislation.

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- B) Statutory Authority: 230 ILCS 30/1
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 435 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: Entities eligible for charitable games licenses will be affected by these rulemakings.
- F) Agency contact person for information:
 - Brian E. Fliflet
 - Deputy General Counsel, Income Tax
 - Illinois Department of Revenue
 - 101 W. Jefferson, MC 5-500
 - Springfield, IL 62794

 - (217) 782-2844
- G) Related rulemakings and other pertinent information: None
- x) Part (Heading and Code Citation): Vehicle Use Tax, (86 Ill. Adm. Code 151)
 - 1) Rulemaking:
 - A) Description: Amendments will be made to update the Vehicle Use Tax regulations to reflect new statutory developments, decisional law and Department policies. Rulemakings will also be promulgated as part of the Department's continuing effort to codify policies contained in various letter rulings and to delete outdated provisions. Regulations will be amended to reflect the new tax rates in the Vehicle Use Tax imposed by P.A. 102-0353.
 - B) Statutory Authority: 625 ILCS 5/3-1005

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- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 151 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: None.
- F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794

(217) 782-2844

- G) Related rulemakings and other pertinent information: None

y) Part (Heading and Code Citation): Tobacco Products Tax Act of 1995, (86 Ill. Adm. Code 660)

1) Rulemaking:

- A) Description: Amendments will be made to update the Tobacco Products Tax Act regulations to reflect new statutory developments, decisional law and Department policies. Rulemakings will also be promulgated as part of the Department's continuing effort to codify policies contained in various letter rulings and to delete outdated provisions.
- B) Statutory Authority: 20 ILCS 2505
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 660 during the next six months of this year.

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- E) Effect on small business, small municipalities or not-for-profit corporations: Small businesses that sell tobacco products.
- F) Agency contact person for information:
 - David Reid
 - Deputy General Counsel, Sales and Excise Tax
 - Illinois Department of Revenue
 - 101 W. Jefferson, MC 5-500
 - Springfield, IL 62794

 - (217) 782-2844
- G) Related rulemakings and other pertinent information: None
- z) Part (Heading and Code Citation): Energy Assistance Charge, (86 Ill. Adm. Code 516)
 - 1) Rulemaking:
 - A) Description: Amendments will be made to update the Energy Assistance Charge regulations to reflect new statutory developments, decisional law and Department policies. Rulemakings will also be promulgated as part of the Department's continuing effort to codify policies contained in various letter rulings and to delete outdated provisions. Amendments include changes made to the Energy Assistance Act of 1989 by P.A. 102-0016 and P.A. 102-0176.
 - B) Statutory Authority: 305 ILCS 20/3 and 20/19
 - C) Scheduled meeting/hearing dates: No schedule has been established at this time.
 - D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 516 during the next six months of this year.
 - E) Effect on small business, small municipalities or not-for-profit corporations: None

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F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794

(217) 782-2844

G) Related rulemakings and other pertinent information: None.

aa) Part (Heading and Code Citation): Water and Sewer Assistance Charge, (86 Ill. Adm. Code 515)

1) Rulemaking:

A) Description: A new part will added implement the Water and Sewer Assistance Charge created by P.A. 102-0262.

B) Statutory Authority: 305 ILCS 20/3 and 20/19

C) Scheduled meeting/hearing dates: No schedule has been established at this time.

D) Date agency anticipates First Notice: We anticipate filing rulemakings amending Part 515 during the next six months of this year.

E) Effect on small business, small municipalities or not-for-profit corporations: None

F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794

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(217) 782-2844

G) Related rulemakings and other pertinent information: None

bb) Part (Heading and Code Citation): Energy Transition Assistance Charge, (86 Ill. Adm. Code 518)

1) Rulemaking:

A) Description: A new part will added implement the Energy Transition Assistance Charge created by P.A. 102-0662.

B) Statutory Authority: 220 ILCS 5/16-108.30

C) Scheduled meeting/hearing dates: No schedule has been established at this time.

D) Date agency anticipates First Notice: We anticipate filing adding Part 518 during the next six months of this year.

E) Effect on small business, small municipalities or not-for-profit corporations: Will impose an additional charge for utility service on small businesses that are customers of electric utilities that serve more than 500,000 customers. The charge cannot exceed 1.3% of the amount paid per kilowatt hour for those customers during the year ending May 31, 2009.

F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield, IL 62794

(217) 782-2844

G) Related rulemakings and other pertinent information: None

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cc) Parts (Heading and Code Citations): Cannabis Cultivation Privilege Tax, (86 Ill. Adm. Code 422); Cannabis Purchaser Excise Tax, (86 Ill. Adm. Code 423); Medical Cannabis Cultivation Privilege Tax, (86 Ill. Adm. Code 429); Illinois Hydraulic Fracturing Tax, (86 Ill. Adm. Code 475); Tobacco Products Tax Act of 1995, (86 Ill. Adm. Code 660)

1) Rulemaking:

- A) Description: Rules will be amended to reflect a change made by P.A. 102-0040. In the affected provisions that allow the Department of Revenue to refuse to issue, reissue, or renew a certificate of registration, permit, or license, this rulemaking makes changes to conform with the statutory change that a person is considered to be in default for moneys due if the amount was established as a final liability within the 23 years (previously, 20 years) prior to the date of the Department of Revenue's notice of refusal to issue or reissue the certificate of registration, permit, or license.
- B) Statutory Authority: 20 ILCS 2505/2505-380(b) and 35 ILCS 120/2a as amended by P.A. 102-0040.
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: We anticipate filing rulemakings amending these Parts during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings implement a relatively technical change that will more closely line up the look-back period for denying a registration, permit, or license with the deadline for enforcing a lien against a taxpayer and will have only a minimal impact on small business, municipalities, or not for profit corporations.
- F) Agency contact person for information:

David Reid
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson Street, MC 5-500
Springfield, IL 62794

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(217) 782-2844

G) Related rulemakings and other pertinent information: None