

**Illinois Department of Revenue
Regulations**

Title 86 Part 450 Section 450.40 Reports and Returns

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 450
CIGARETTE USE TAX ACT

Section 450.40 Reports and Returns

- a) When cigarettes are acquired for use in this State by a person (including a distributor as well as any other person), who did not pay the cigarette use tax to a distributor, the person, within 30 days after acquiring the cigarettes, shall file a return with the Department and shall transmit with the return to the Department the tax imposed by the Act. Computer generated returns or returns filed on forms that have not been approved by the Department are considered non-processable and may subject the filer to penalties and interest for failure to file a proper return.
- b) Every distributor, who is required or authorized to collect tax under the Act, but who is not a manufacturer of cigarettes in original packages that are contained in a sealed transparent wrapper, shall, on or before the 15th day of each calendar month, file a return with the Department showing the information the Department may reasonably require. Computer generated returns and schedules or returns and schedules that have not been approved by the Department are considered non-processable and may subject the filer to penalties and interest for failure to file a proper return.
- c) Every distributor who is a manufacturer of cigarettes in original packages contained inside a sealed transparent wrapper, and who is required or authorized to collect tax under the Act, shall file a return by the 5th day of each month covering the preceding calendar month. Each return shall be accompanied by the appropriate remittance for tax as provided in Sections 3 and 7 of the Act. Each return shall disclose the information the Department may lawfully require. Computer generated returns and schedules or returns and schedules filed on forms that have not been approved by the Department are considered to be non-processable and may subject the filer to penalties and interest for failure to file a proper return.
- d) No distributor shall be required to return information to the extent to which the reporting of that information would be a duplication of the distributor's reporting of information in any return he or she is required to file with the Department under the Cigarette Tax Act. Returns shall be filed on forms prescribed by the Department. Computer generated returns and schedules or returns and schedules filed on forms that have not been approved by the Department are considered non-processable and may subject the filer to penalties and interest for failure to file a proper return.
- e) The returns filed by both distributors required or authorized to collect tax under the Act who have 30 or more transactions per month, and by Illinois manufacturers having 30 or more transactions per month, *must be accompanied by appropriate computer-generated magnetic media supporting schedule data in the format required by the Department.* (Section 11 of the Act) Distributors and manufacturers who voluntarily file

returns and schedules electronically are not subject to this requirement. *A taxpayer who has an annual tax liability of \$20,000 or more shall make all payments of that tax to the Department by electronic funds transfer. Before August 1 of each year, the Department shall notify all taxpayers required to make payments by electronic funds transfer.* [20 ILCS 2502/2505-200].

(Source: Amended at 42 Ill. Reg. 23186, effective November 29, 2018)