



Informational

Bulletin

David Harris, Director

New Requirements for Sales Tax on Aviation Fuel for Retailers

To: Retailers of aviation fuel

This bulletin is written to inform you of recent changes; it does not replace statutes, rules and regulations, or court decisions.

Effective December 1, 2017, in order to comply with Federal Aviation Administration guidelines, retailers of aviation fuel (*i.e.*, jet fuel and aviation gasoline) were required to report and pay sales and use tax on aviation fuel on Form ST-70, Aviation Fuel Sales and Use Tax Return. Effective **December 1, 2019**, [Public Act \(P.A.\)101-0010](#) creates additional requirements identified by the Federal Aviation Administration.

Do I, the retailer, still report these sales on Form ST-70?

Yes. Retailers that sell aviation fuel at more than one location (site) must collect and remit the tax according to the rates at each particular location. You must complete Form ST-71, Multiple Site Form, to show the breakdown of taxes collected and paid from each site and combine the liability on a single Form ST-70.

When must I file and pay this tax?

Form ST-70 is due on or before the 20th day of the month following the end of the reporting period. If you do not file and pay on time, we will bill you for any penalties and interest you may owe.

Note: If the due date falls on a weekend or holiday, your return and payment are due the next business day.

Can I file this return and pay the tax due electronically?

Yes. Illinois law requires that you file Form ST-70 and pay the tax electronically. You must use [MyTax Illinois](#) to file your Form ST-70 and pay the tax.

Does the sales tax rate on aviation fuel change with the new requirements?

It might. The state sales tax rate of 6.25 percent will remain the same. However, the rate imposed by the local government where the aviation fuel is sold might change, depending on the certification filed with the Illinois Department of Transportation (IDOT) by the unit of local government. The Illinois Department of Revenue (IDOR) will notify retailers if there is a rate change. In addition, when you file electronically using [MyTax Illinois](#) your rates will be populated for you. For a complete listing of statewide sales and use tax rates, go to the Tax Rate Database on [MyTax Illinois](#). From there, select Business and then Tax Rate Finder and enter your municipality or county name and effective date.

Form ST-70 requires the separate reporting of the 6.25 percent statewide sales and use tax rate which is separated into the state portion (5 percent) and the local portion (1.25 percent), and the locally imposed tax, if any.

For more information
Visit our website at:
tax.illinois.gov

Register and file your return online at:
mytax.illinois.gov

Call us at:
217 782-5906

Are there any other changes that affect retailers of aviation fuel with the new requirements?

Yes. For sales of aviation fuel on or after December 1, 2019, [P.A. 101-0010](#) also removes the discount on the 1.25 percent local portion of the 6.25 percent state tax and the locally imposed tax, if any. The discount is still allowed on the 5 percent state portion of the tax for timely filing and paying sales and use tax on aviation fuel. IDOR is revising Form ST-70, Aviation Fuel Sales and Use Tax Return. The first period you would use this revised form is for the December 2019 reporting period, due January 20, 2020.

When is a unit of local government able to impose a tax on sales of aviation fuel?

If a unit of local government has a locally imposed sales tax, in order for that tax to be imposed on retail sales of aviation fuel, [P.A. 101-0010](#) requires the unit of local government to certify with IDOT that it has an airport-related purpose on which it will spend those tax revenues. If an airport-related purpose is certified, the locally imposed tax will be collected and deposited into the Local Government Aviation Trust Fund and then distributed back to the local government to be used exclusively for airport-related purposes. If the local government does not have an airport-related purpose on which it spends aviation fuel tax revenues, then the local tax is not imposed on sales of aviation fuel.

Note: When you file electronically using [MyTax Illinois](#) your rates will be populated for you.