



# Board of Commissioners of Cook County

118 North Clark Street  
Chicago, IL

## Legislation Details (With Text)

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|----------------------|------------------------------|----------------------|---|--------------|--|
| <b>File #:</b>       | 16-1373                      | <b>Version:</b>      | 1 | <b>Name:</b> | SALES OF NEW MOTOR VEHICLES AND TRAILERS TAX (New motor vehicle dealer registration; Tax remittance and returns; Books and records to be kept) |
| <b>Type:</b>         | Ordinance Amendment          | <b>Status:</b>       |   |              | Approved   |
| <b>File created:</b> | 1/26/2016                    | <b>In control:</b>   |   |              | Finance Committee  |
| <b>On agenda:</b>    | 4/13/2016                    | <b>Final action:</b> |   |              | 5/11/2016  |
| <b>Title:</b>        | PROPOSED ORDINANCE AMENDMENT |                      |   |              |  |

### SALES OF NEW MOTOR VEHICLES AND TRAILERS TAX

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 74 - Taxation, Article VI. Sales of New Motor Vehicles and Trailers Tax, Sections 74-628, 74-634, 74-635 and 74-638 of the Cook County Code is hereby amended as Follows:

Sec. 74-234. - New motor vehicle dealer registration.

New motor vehicle dealers, as described in this Article, shall register with the Department, in accordance with procedures prescribed by the Department, prior to commencing business. Application for registration shall be made on forms prescribed by the Department. It shall be unlawful to conduct business in Cook County as a new motor vehicle dealer prior to obtaining a Cook County Department of Revenue Sales of New Motor Vehicle certificate of tax registration.

Sec. 74-235. - Tax remittance and returns.

- (a) Every new motor vehicle dealer shall file, on forms prescribed by the Department, a remittance return and remit all taxes due on or before the 20th day of the month following the month for which the tax is due. Every new motor vehicle dealer shall file a monthly return even when no tax is due.
- (b) Final monthly return; remittance. Any new motor vehicle who ceases to engage in the business of making retail sales of new motor vehicles shall file a final return under this Article with the Department not later than one calendar month after making the last sale at retail. All taxes due to be paid to the County shall be remitted to the County at the time the final return is filed with the Department.
- (c) New motor vehicle dealer Annual Return. New motor vehicle dealers shall file an annual information return, on forms prescribed by the Department, on the last day of the month following the year for which the return is due. Such annual return shall include a statement of beginning inventory, purchases, sales, ending inventory, and receipts as shown on the retailer's State income tax return. The tax collector's annual return to the Department shall also disclose such additional reasonable information as the Department shall require to enable the Department to determine the accuracy of any periodic return filed by such tax collector as provided by this Section.

Sec. 74-236. - Books and records to be kept.

It shall be the duty of all new motor vehicle dealers to keep and maintain all books, papers and records related to all transactions taxable or non-taxable under this Article and to make such records available to the Director on request for inspection, audit and/or copying during regular business hours. Books, papers and records which relate to a return filed or required to be filed with the Department shall be kept for the taxable time period as provided for listed in the statute of limitations section of

the Cook County Uniform Penalties, Interest and Procedures Ordinance, Article III, Sec. 34-60 et seq.

Effective date: This ordinance shall be in effect immediately upon adoption

Sponsors: TONI PRECKWINKLE (President)

Indexes:

Code sections:

Attachments:

| Date      | Ver. | Action By              | Action                 | Result |
|-----------|------|------------------------|------------------------|--------|
| 5/11/2016 | 1    | Board of Commissioners | approve                | Pass   |
| 5/11/2016 | 1    | Finance Committee      | recommend for approval |        |
| 4/13/2016 | 1    | Board of Commissioners | refer                  | Pass   |

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