

Imposition of Simplified Municipal Telecommunications Tax

Whereas, the Simplified Municipal Telecommunications Tax Act creates a simplified municipal telecommunications tax and repeals the municipal tax on transmitting messages under 65 ILCS 5/8-11-2, the municipal telecommunications tax under 65 ILCS 5/8-11-17, the optional municipal infrastructure maintenance fee under 35 ILCS 635/15 and the municipal infrastructure maintenance fee under 35 ILCS 635/20 effective January 1, 2003; and

Whereas, the Illinois Department of Revenue was required under Sections 5-25 and 5-30 of the Simplified Municipal Telecommunications Tax Act to publish a list and calculate a rate for the imposition of a simplified municipal telecommunications tax for each municipality that had in place one or more of the following: a municipal tax on transmitting messages under 65 ILCS 5/8-11-2, a municipal telecommunications tax under 65 ILCS 5/8-11-17, or a municipal infrastructure maintenance fee under 35 ILCS 635/20 as of July 1, 2002; and

Whereas, the list published by the Illinois Department of Revenue listed this municipality as having no simplified municipal telecommunications tax imposed under the provisions of the Simplified Municipal Telecommunications Tax Act; and

Whereas, this municipality desires to impose a Simplified Municipal Telecommunications Tax pursuant to the Simplified Municipal Telecommunications Tax Act;

Now, therefore, be it ordained by the **City Council** of this municipality that:

Section 1. A simplified municipal telecommunications tax is hereby imposed upon the act or privilege of originating in the municipality or receiving in the municipality intrastate or interstate telecommunications by a person under the provisions of the Simplified Municipal Telecommunications Tax Act, 35 ILCS 636 at a rate of **6%** of the gross charges for such telecommunications purchased at retail from a retailer.

Section 2. The tax hereby imposed shall be collected and enforced by the Department of Revenue of the State of Illinois. The Illinois Department of Revenue shall have full power to administer and enforce the provisions of this ordinance.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval and publication in pamphlet form as required by law, provided, however, that Section 1 of this Ordinance shall take effect for all gross charges billed by telecommunications retailers on and after the first day of **January 2004**. The Municipal Clerk is hereby directed to file a certified copy of this Ordinance with the Illinois Department of Revenue prior to **September 20, 2003**.

Passed by the City Council of the City of Nokomis on the 8th day of September 2003.

AYES: 5

NAYES: 0

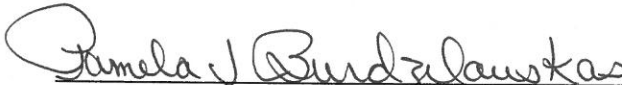
ABSENT: 0

APPROVED by the Mayor of the City of Nokomis on the 8th day of September 2003.



KEITH E. HANCOCK, MAYOR

ATTEST:



PAMELA J. BURDZILAUSKAS
NOKOMIS CITY CLERK


STATE OF ILLINOIS)
)
COUNTY OF MONTGOMERY)
)
CITY OF NOKOMIS)

I, Pamela Burdzilaukas, City Clerk of the City of Nokomis, Illinois, do hereby certify that the above and foregoing Ordinance entitled:

**ORDINANCE 906
IMPOSITION OF SIMPLIFIED MUNICIPAL TELECOMMUNICATIONS TAX**

was duly passed by the City Council of said City on the 8th day of September 2003, and was afterwards on the same day and date duly approved by the Mayor of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of the said City of Nokomis, Illinois, this the 8th day of September 2003.


Pamela J. Burdzilaukas
Pamela J. Burdzilaukas, City Clerk
of the City of Nokomis, Illinois

Certificate of Publication

County of Montgomery }
State of Illinois } ss.

Nokomis, Illinois Sept. 17 2003

Theresa M. Rogers being duly sworn, says he is the authorized agent of NOKOMIS FREE PRESS, INC., an Illinois corporation, and does hereby certify that said corporation is the publisher of the FREE PRESS-PROGRESS and that he is duly authorized to make this certificate for the corporation that the notice of

City of Nokomis

Ordinance No. 906

of which the annexed is a true copy, was printed and published one time in the regular editions of FREE PRESS-PROGRESS, a secular newspaper of general circulation, published in the city of Nokomis, in said county and state, and that the first publication was made on the 17th day of September, 2003, and the last in the paper published on the 17th day of September 2003, and that said newspaper was regularly published for twelve months prior to the first publication of said notice.

Publisher's Fee \$ 49.00

Theresa M. Rogers

Authorized Agent of
FREE PRESS, INC.
Nokomis, IL 62075



Illinois Department of Revenue

Legal Services
101 W. Jefferson St.
Springfield, IL 62702

September 15, 2003

City of Nokomis
22 South Cedar
Nokomis, IL 62075

Attention: Pamela J. Burdzilauskas
City Clerk

Dear Ms. Burdzilauskas:

This is to acknowledge receipt of the City of Nokomis' Ordinance No. 906 imposing a Simplified Municipal Telecommunications Tax at the rate of 6%.

The Illinois Department of Revenue shall collect, administer and enforce such Simplified Municipal Telecommunications Tax effective January 1, 2004, in accordance with the provisions of 35 ILCS 636/5-1 et seq.

If you have any questions regarding this matter, please feel free to contact our office at the number listed below.

Very truly yours,

Martha P. Mote

Martha P. Mote
Associate Counsel
(217) 782-2844

MPM:nks

Cc: Cecil Denton, Local Tax Allocation Division