



Illinois Department of Revenue

Instructions for Form ST-44, Illinois Use Tax Return

General Information

What is Illinois use tax?

Use tax is a tax on the privilege of using tangible personal property in Illinois. It is designed to distribute the tax burden fairly among Illinois consumers and to ensure fair competition between Illinois businesses and out-of-state businesses. Illinois law requires you to pay tax at the Illinois rate when you buy an item from another state or country to use in Illinois.

The Illinois Department of Revenue (IDOR) is increasing its efforts to collect use tax. IDOR shares sales information with other states and bills Illinois residents for unpaid tax, penalty, and interest. IDOR also gathers information on overseas purchases from the U.S. Customs Service. (Use tax is due regardless of whether an item has to be declared or is subject to duty tax.) IDOR also encourages out-of-state businesses to register and collect the tax voluntarily as a convenience to their Illinois customers. If they do not, the Illinois customers must remit tax directly to IDOR.

When do I owe Illinois use tax?

You owe Illinois use tax if the person or business from which you bought general merchandise or food, drugs, and medical appliances did not collect Illinois sales tax (e.g., purchases from catalogs, TV advertisements, magazines, the Internet) and also if each of the following applies:

- the items purchased are taxable in Illinois;
- you will use or consume these items in Illinois; and
- you have not yet paid Illinois sales tax or an equivalent amount to another state.

If your total Illinois use tax liability for the year is

- \$600 or less, you may report your Illinois use tax liability using Form IL-1040, Individual Income Tax Return, or you may file Form ST-44, Illinois Use Tax Return, and pay the tax due for the entire year (January 1 through December 31) on or before April 15 of the following year.
- greater than \$600, you must file Form ST-44 and pay the tax by the last day of the month following the month in which the purchase was made.

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

What purchases are *not* to be reported on Form ST-44, and which forms should be filed instead to properly report and pay Illinois use tax?

- cigarettes — Form RC-44, Illinois Cigarette Use Tax Return
- motor vehicles, watercraft, aircraft, trailers, manufactured (mobile) homes, snowmobiles, or all-terrain vehicles (ATVs) purchased from an unregistered, out-of-state retailer — Form RUT-25, Vehicle Use Tax Transaction Return
- motor vehicles, watercraft, aircraft, trailers, manufactured (mobile) homes, snowmobiles, or all-terrain vehicles (ATVs) leased through an unregistered, out-of-state retailer — Form RUT-25-LSE, Use Tax Return for Lease Transactions
- purchases made by registered retailers or servicepersons — Form ST-1, Sales and Use Tax and E911 Surcharge Return
- motor vehicles acquired by purchase, gift, donation, or transfer from a private party — Form RUT-50, Private Party Vehicle Use Tax Transaction Return
- aircraft or watercraft acquired by gift, donation, transfer, or non-retail purchase — Form RUT-75, Aircraft/Watercraft Use Tax Transaction Return

What if I need help?

If you need help, call our Taxpayer Assistance Division at **1 800 732-8866**, **217 782-3336**, or **1 800 544-5304** (TTY). You may also visit our website at tax.illinois.gov or scan the QR code provided.

Language assistance services are available upon request and are free of charge.



Specific Instructions

You must round your figures to whole numbers.

Step 2: Figure the Illinois use tax

Enter the date of your last purchase of tangible personal property on which you owe Illinois use tax.

If you are filing an annual return because your total tax liability for the year is \$600 or less, enter "December 31," followed by the year. If you are not filing an annual return because your total tax liability for the year is greater than \$600, enter the exact date of the last purchase, including month, day, and year.

Line 1a - Enter the total cost of general merchandise you purchased outside of Illinois to use in Illinois.

If you paid Illinois Cigarette Use Tax for cigarette purchases reported on Form RC-44, do not include the cost from those cigarette purchases in the figure you report on Line 1a of Form ST-44.

Note: Some out-of-state businesses collect Illinois sales tax, and their customers pay the tax just as they would pay state sales tax to an Illinois retailer. Check your receipts and invoices to determine whether Illinois sales tax was collected. You do not need to pay Illinois use tax on purchases made from an out-of-state retailer that already has properly collected Illinois sales tax.

Line 1b - Multiply Line 1a by 6.25% (.0625).

Line 2a - Enter the total cost of qualifying food, drugs, medical appliances, and diabetic supplies, such as insulin and syringes, you purchased outside of Illinois to use in Illinois.

Line 2b - Multiply Line 2a by 1% (.01).

Line 3 - Add Lines 1b and 2b. This is your use tax on purchases.

Line 4 - Enter the amount of sales tax you paid to another state (not to another country) on the items included on Lines 1a and 2a.

If you purchase an item from **another country**, you must pay the full amount of Illinois use tax due. You cannot claim credit for any tax paid to another country. If you purchase an item from **another state** and you properly paid tax to the other state, you may take credit for the tax paid. If you paid this tax at a rate lower than the Illinois use tax rate, you must pay Illinois the difference.

Step 3: Figure the total amount you owe

Line 5 - Compare Line 3 and Line 4. If Line 4 is equal to or greater than Line 3, you do not owe Illinois use tax and do not need to file Form ST-44.

If Line 3 is greater than Line 4, subtract Line 4 from Line 3. This is the total amount of Illinois use tax you owe. Make your payment to the "**Illinois Department of Revenue**."

Step 4: Sign below

We cannot process this form until it is signed by the owner, officer, or other person authorized to sign the return.

You owe a **late-filing penalty** if you do not file a processable return by the due date, a **late-payment penalty** if you do not pay the amount you owe by the original due date of the return, a **bad check penalty** if your remittance is not honored by your financial institution, and a **cost of collection fee** if you do not pay the amount you owe within 30 days of the date printed on a bill. For more information, see Publication 103, Penalties and Interest for Illinois Taxes, available on our website at tax.illinois.gov.

We will bill you for any penalty and interest amounts owed.

Send your return and payment to the following address:

**ILLINOIS DEPARTMENT OF REVENUE
RETAILERS' OCCUPATION TAX
SPRINGFIELD IL 62776-0001**