

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 480
HOTEL OPERATORS' OCCUPATION TAX ACT

Section

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AUTHORITY: Implementing the Hotel Operators' Occupation Tax Act [35 ILCS 145] and authorized by Section 2505-795 of the Civil Administrative Code of Illinois (Department of Revenue Law) [20 ILCS 2505].

SOURCE: Adopted July 6, 1962; codified at 8 Ill. Reg. 8611; amended at 13 Ill. Reg. 10693, effective June 16, 1989; amended at 16 Ill. Reg. 3578, effective February 25, 1992; amended at 21 Ill. Reg. 2383, effective February 3, 1997; amended at 21 Ill. Reg. 13654, effective September 29, 1997; amended at 24 Ill. Reg. 17814, effective November 28, 2000; amended at 39 Ill. Reg. 1849, effective January 16, 2015; amended at 43 Ill. Reg. 5109, effective April 17, 2019; amended at 44 Ill. Reg. 16471, effective September 25, 2020; amended at 48 Ill. Reg. 14846, effective September 25, 2024; amended at 49 Ill. Reg. 11548, effective August 27, 2025; amended at 50 Ill. Reg. _____, effective _____.

Section 480.105 Definitions

"Department" means the Department of Revenue.

"Hosting platform" or "platform" means a person who provides an online application, software, website, or system through which a short-term rental located in this State is advertised or held out to the public as available to rent for occupancy. For purposes of this definition, "short-term rental" means an owner-occupied, tenant-occupied, non-owner-occupied dwelling, including, but not limited to, an apartment, house, cottage, or condominium, located in this State, where: (i) at least one room in the dwelling is rented to an occupant for a period of less than 30 consecutive days; and (ii) all accommodations are reserved in advance; provided, however, that a dwelling shall be considered a single room if rented as such.

44 "Hotel" means any building or buildings in which the public may, for a
45 consideration, obtain living quarters, sleeping, or housekeeping accommodations.
46 The term includes, but is not limited to, inns, motels, tourist homes or courts,
47 lodging houses, rooming houses and apartment houses, retreat centers,
48 conference centers, ~~and~~ hunting lodges, and short-term rentals. ~~For the purpose~~
49 ~~of re-renters of hotel rooms only, "hotel" does not include a short term rental.~~

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51 "Occupancy" means the use or possession, or the right to the use or possession, of
52 any room or rooms in a hotel for any purpose, or the right to the use or
53 possession of the furnishings or to the services and accommodations
54 accompanying the use and possession of the room or rooms.

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56 "Operator" means any person engaged in the business of renting, leasing, or
57 renting rooms in a hotel.

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59 "Permanent resident" means any person who occupied or has the right to occupy
60 any room or rooms, regardless of whether or not it is the same room or rooms, in
61 a hotel for at least 30 consecutive days.

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63 "Person" means any natural individual, firm, partnership, association, joint stock
64 company, joint adventure, public or private corporation, limited liability
65 company, or a receiver, executor, trustee, guardian, or other representative
66 appointed by order of any court.

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68 "Rent" or "rental" means the consideration received for occupancy, valued in
69 money, whether received in money or otherwise, including all receipts, cash,
70 credits, and property or services of any kind or nature. "Rent" or "rental"
71 includes any fee, charge, or commission received from a guest by a re-renter of
72 hotel rooms specifically in connection with the re-rental of hotel rooms, ~~but does~~
73 ~~not include any fee, charge, or commission received from a short-term rental by a~~
74 ~~hosting platform.~~

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76 "Re-renter of hotel rooms" means a person who is not employed by the hotel
77 operator but who, either directly or indirectly, through agreements or
78 arrangements with third parties, collects or processes the payment of rent for a
79 hotel room located in this State and (i) obtains the right or authority to grant
80 control of, access to, or occupancy of a hotel room in this State to a guest of the
81 hotel or (ii) facilitates the booking of a hotel room located in this State. A person
82 who obtains those rights or authorities is not considered a re-renter of a hotel
83 room if the person operates under a shared hotel brand with the operator.

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85 "Room" or "rooms" means any living quarters, sleeping or housekeeping
86 accommodations.

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"Shared hotel brand" means an identifying trademark that a hotel operator is expressly licensed to operate under in accordance with the terms of a hotel franchise or management agreement. [35 ILCS 145/2]

(Source: Amended at 50 Ill. Reg. _____, effective _____)