



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4151

Introduced 10/15/2025, by Rep. Travis Weaver

SYNOPSIS AS INTRODUCED:

35 ILCS 105/3-10	from Ch. 120, par. 439.33-10
35 ILCS 105/9	
35 ILCS 110/3-10	from Ch. 120, par. 439.33-10
35 ILCS 110/9	
35 ILCS 115/3-10	from Ch. 120, par. 439.103-10
35 ILCS 115/9	from Ch. 120, par. 439.109
35 ILCS 120/2-10	from Ch. 120, par. 441-10
35 ILCS 120/3	

Amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act. Provides that the rate of tax on clothing with a selling price of less than \$100 shall be 1.25% (currently, 6.25%). Makes changes concerning the distribution of proceeds from the taxes imposed on those sales to provide that 100% of the proceeds are deposited into certain local government funds.

LRB104 15649 HLH 28820 b

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Use Tax Act is amended by changing Sections
5 3-10 and 9 as follows:

6 (35 ILCS 105/3-10) from Ch. 120, par. 439.33-10

7 Sec. 3-10. Rate of tax. Unless otherwise provided in this
8 Section, the tax imposed by this Act is at the rate of 6.25% of
9 either the selling price or the fair market value, if any, of
10 the tangible personal property, which, on and after January 1,
11 2025, includes leases of tangible personal property. In all
12 cases where property functionally used or consumed is the same
13 as the property that was purchased at retail, then the tax is
14 imposed on the selling price of the property. In all cases
15 where property functionally used or consumed is a by-product
16 or waste product that has been refined, manufactured, or
17 produced from property purchased at retail, then the tax is
18 imposed on the lower of the fair market value, if any, of the
19 specific property so used in this State or on the selling price
20 of the property purchased at retail. For purposes of this
21 Section "fair market value" means the price at which property
22 would change hands between a willing buyer and a willing
23 seller, neither being under any compulsion to buy or sell and

1 both having reasonable knowledge of the relevant facts. The
2 fair market value shall be established by Illinois sales by
3 the taxpayer of the same property as that functionally used or
4 consumed, or if there are no such sales by the taxpayer, then
5 comparable sales or purchases of property of like kind and
6 character in Illinois.

7 Beginning on July 1, 2000 and through December 31, 2000,
8 with respect to motor fuel, as defined in Section 1.1 of the
9 Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of
10 the Use Tax Act, the tax is imposed at the rate of 1.25%.

11 Beginning on August 6, 2010 through August 15, 2010, and
12 beginning again on August 5, 2022 through August 14, 2022,
13 with respect to sales tax holiday items as defined in Section
14 3-6 of this Act, the tax is imposed at the rate of 1.25%.

15 Beginning on January 1, 2027, with respect to clothing
16 with a selling price of less than \$100, the tax is imposed at
17 the rate of 1.25%. For the purpose of applying this reduced
18 rate of tax, the term "clothing" means human-worn apparel that
19 is suitable for general use. The term "clothing" includes, but
20 is not limited to: household and shop aprons; athletic
21 supporters; bathing suits and caps; belts and suspenders;
22 boots; coats and jackets; ear muffs; footlets; gloves and
23 mittens for general use; hats and caps; hosiery; insoles for
24 shoes; lab coats; neckties; overshoes; pantyhose; rainwear;
25 rubber pants; sandals; scarves; shoes and shoelaces; slippers;
26 sneakers and athletic shoes; socks and stockings; steel-toed

1 shoes; underwear; and school uniforms. Except as otherwise
2 specifically provided in this Section, "clothing" does not
3 include clothing accessories, protective equipment, or sport
4 or recreational equipment. "Clothing accessories" means, but
5 is not limited to: briefcases; cosmetics; hair notions,
6 including, but not limited to barrettes, hair bows, and hair
7 nets; handbags; handkerchiefs; jewelry; non-prescription
8 sunglasses; umbrellas; wallets; watches; and wigs and hair
9 pieces. The reduction in the rate of tax for clothing with a
10 selling price of less than \$100 is exempt from the provisions
11 of Section 3-90.

12 With respect to gasohol, the tax imposed by this Act
13 applies to (i) 70% of the proceeds of sales made on or after
14 January 1, 1990, and before July 1, 2003, (ii) 80% of the
15 proceeds of sales made on or after July 1, 2003 and on or
16 before July 1, 2017, (iii) 100% of the proceeds of sales made
17 after July 1, 2017 and prior to January 1, 2024, (iv) 90% of
18 the proceeds of sales made on or after January 1, 2024 and on
19 or before December 31, 2028, and (v) 100% of the proceeds of
20 sales made after December 31, 2028. If, at any time, however,
21 the tax under this Act on sales of gasohol is imposed at the
22 rate of 1.25%, then the tax imposed by this Act applies to 100%
23 of the proceeds of sales of gasohol made during that time.

24 With respect to mid-range ethanol blends, the tax imposed
25 by this Act applies to (i) 80% of the proceeds of sales made on
26 or after January 1, 2024 and on or before December 31, 2028 and

1 (ii) 100% of the proceeds of sales made thereafter. If, at any
2 time, however, the tax under this Act on sales of mid-range
3 ethanol blends is imposed at the rate of 1.25%, then the tax
4 imposed by this Act applies to 100% of the proceeds of sales of
5 mid-range ethanol blends made during that time.

6 With respect to majority blended ethanol fuel, the tax
7 imposed by this Act does not apply to the proceeds of sales
8 made on or after July 1, 2003 and on or before December 31,
9 2028 but applies to 100% of the proceeds of sales made
10 thereafter.

11 With respect to biodiesel blends with no less than 1% and
12 no more than 10% biodiesel, the tax imposed by this Act applies
13 to (i) 80% of the proceeds of sales made on or after July 1,
14 2003 and on or before December 31, 2018 and (ii) 100% of the
15 proceeds of sales made after December 31, 2018 and before
16 January 1, 2024. On and after January 1, 2024 and on or before
17 December 31, 2030, the taxation of biodiesel, renewable
18 diesel, and biodiesel blends shall be as provided in Section
19 3-5.1. If, at any time, however, the tax under this Act on
20 sales of biodiesel blends with no less than 1% and no more than
21 10% biodiesel is imposed at the rate of 1.25%, then the tax
22 imposed by this Act applies to 100% of the proceeds of sales of
23 biodiesel blends with no less than 1% and no more than 10%
24 biodiesel made during that time.

25 With respect to biodiesel and biodiesel blends with more
26 than 10% but no more than 99% biodiesel, the tax imposed by

1 this Act does not apply to the proceeds of sales made on or
2 after July 1, 2003 and on or before December 31, 2023. On and
3 after January 1, 2024 and on or before December 31, 2030, the
4 taxation of biodiesel, renewable diesel, and biodiesel blends
5 shall be as provided in Section 3-5.1.

6 Until July 1, 2022 and from July 1, 2023 through December
7 31, 2025, with respect to food for human consumption that is to
8 be consumed off the premises where it is sold (other than
9 alcoholic beverages, food consisting of or infused with adult
10 use cannabis, soft drinks, and food that has been prepared for
11 immediate consumption), the tax is imposed at the rate of 1%.
12 Beginning on July 1, 2022 and until July 1, 2023, with respect
13 to food for human consumption that is to be consumed off the
14 premises where it is sold (other than alcoholic beverages,
15 food consisting of or infused with adult use cannabis, soft
16 drinks, and food that has been prepared for immediate
17 consumption), the tax is imposed at the rate of 0%. On and
18 after January 1, 2026, food for human consumption that is to be
19 consumed off the premises where it is sold (other than
20 alcoholic beverages, food consisting of or infused with adult
21 use cannabis, soft drinks, candy, and food that has been
22 prepared for immediate consumption) is exempt from the tax
23 imposed by this Act.

24 With respect to prescription and nonprescription
25 medicines, drugs, medical appliances, products classified as
26 Class III medical devices by the United States Food and Drug

1 Administration that are used for cancer treatment pursuant to
2 a prescription, as well as any accessories and components
3 related to those devices, modifications to a motor vehicle for
4 the purpose of rendering it usable by a person with a
5 disability, and insulin, blood sugar testing materials,
6 syringes, and needles used by human diabetics, the tax is
7 imposed at the rate of 1%. For the purposes of this Section,
8 until September 1, 2009: the term "soft drinks" means any
9 complete, finished, ready-to-use, non-alcoholic drink, whether
10 carbonated or not, including, but not limited to, soda water,
11 cola, fruit juice, vegetable juice, carbonated water, and all
12 other preparations commonly known as soft drinks of whatever
13 kind or description that are contained in any closed or sealed
14 bottle, can, carton, or container, regardless of size; but
15 "soft drinks" does not include coffee, tea, non-carbonated
16 water, infant formula, milk or milk products as defined in the
17 Grade A Pasteurized Milk and Milk Products Act, or drinks
18 containing 50% or more natural fruit or vegetable juice.

19 Notwithstanding any other provisions of this Act,
20 beginning September 1, 2009, "soft drinks" means non-alcoholic
21 beverages that contain natural or artificial sweeteners. "Soft
22 drinks" does not include beverages that contain milk or milk
23 products, soy, rice or similar milk substitutes, or greater
24 than 50% of vegetable or fruit juice by volume.

25 Until August 1, 2009, and notwithstanding any other
26 provisions of this Act, "food for human consumption that is to

1 be consumed off the premises where it is sold" includes all
2 food sold through a vending machine, except soft drinks and
3 food products that are dispensed hot from a vending machine,
4 regardless of the location of the vending machine. Beginning
5 August 1, 2009, and notwithstanding any other provisions of
6 this Act, "food for human consumption that is to be consumed
7 off the premises where it is sold" includes all food sold
8 through a vending machine, except soft drinks, candy, and food
9 products that are dispensed hot from a vending machine,
10 regardless of the location of the vending machine.

11 Notwithstanding any other provisions of this Act,
12 beginning September 1, 2009, "food for human consumption that
13 is to be consumed off the premises where it is sold" does not
14 include candy. For purposes of this Section, "candy" means a
15 preparation of sugar, honey, or other natural or artificial
16 sweeteners in combination with chocolate, fruits, nuts or
17 other ingredients or flavorings in the form of bars, drops, or
18 pieces. "Candy" does not include any preparation that contains
19 flour or requires refrigeration.

20 Notwithstanding any other provisions of this Act,
21 beginning September 1, 2009, "nonprescription medicines and
22 drugs" does not include grooming and hygiene products. For
23 purposes of this Section, "grooming and hygiene products"
24 includes, but is not limited to, soaps and cleaning solutions,
25 shampoo, toothpaste, mouthwash, antiperspirants, and sun tan
26 lotions and screens, unless those products are available by

1 prescription only, regardless of whether the products meet the
2 definition of "over-the-counter-drugs". For the purposes of
3 this paragraph, "over-the-counter-drug" means a drug for human
4 use that contains a label that identifies the product as a drug
5 as required by 21 CFR 201.66. The "over-the-counter-drug"
6 label includes:

7 (A) a "Drug Facts" panel; or

8 (B) a statement of the "active ingredient(s)" with a
9 list of those ingredients contained in the compound,
10 substance or preparation.

11 Beginning on January 1, 2014 (the effective date of Public
12 Act 98-122), "prescription and nonprescription medicines and
13 drugs" includes medical cannabis purchased from a registered
14 dispensing organization under the Compassionate Use of Medical
15 Cannabis Program Act.

16 As used in this Section, "adult use cannabis" means
17 cannabis subject to tax under the Cannabis Cultivation
18 Privilege Tax Law and the Cannabis Purchaser Excise Tax Law
19 and does not include cannabis subject to tax under the
20 Compassionate Use of Medical Cannabis Program Act.

21 If the property that is purchased at retail from a
22 retailer is acquired outside Illinois and used outside
23 Illinois before being brought to Illinois for use here and is
24 taxable under this Act, the "selling price" on which the tax is
25 computed shall be reduced by an amount that represents a
26 reasonable allowance for depreciation for the period of prior

1 out-of-state use. No depreciation is allowed in cases where
2 the tax under this Act is imposed on lease receipts.

3 (Source: P.A. 102-4, eff. 4-27-21; 102-700, Article 20,
4 Section 20-5, eff. 4-19-22; 102-700, Article 60, Section
5 60-15, eff. 4-19-22; 102-700, Article 65, Section 65-5, eff.
6 4-19-22; 103-9, eff. 6-7-23; 103-154, eff. 6-30-23; 103-592,
7 eff. 1-1-25; 103-781, eff. 8-5-24; revised 11-26-24.)

8 (35 ILCS 105/9)

9 Sec. 9. Except as to motor vehicles, watercraft, aircraft,
10 and trailers that are required to be registered with an agency
11 of this State, each retailer required or authorized to collect
12 the tax imposed by this Act shall pay to the Department the
13 amount of such tax (except as otherwise provided) at the time
14 when he is required to file his return for the period during
15 which such tax was collected, less a discount of 2.1% prior to
16 January 1, 1990, and 1.75% on and after January 1, 1990, or \$5
17 per calendar year, whichever is greater, which is allowed to
18 reimburse the retailer for expenses incurred in collecting the
19 tax, keeping records, preparing and filing returns, remitting
20 the tax and supplying data to the Department on request.
21 Beginning with returns due on or after January 1, 2025, the
22 discount allowed in this Section, the Retailers' Occupation
23 Tax Act, the Service Occupation Tax Act, and the Service Use
24 Tax Act, including any local tax administered by the
25 Department and reported on the same return, shall not exceed

1 \$1,000 per month in the aggregate for returns other than
2 transaction returns filed during the month. When determining
3 the discount allowed under this Section, retailers shall
4 include the amount of tax that would have been due at the 6.25%
5 rate but for the 1.25% rate imposed on sales tax holiday items
6 under Public Act 102-700. The discount under this Section is
7 not allowed for the 1.25% portion of taxes paid on aviation
8 fuel that is subject to the revenue use requirements of 49
9 U.S.C. 47107(b) and 49 U.S.C. 47133. When determining the
10 discount allowed under this Section, retailers shall include
11 the amount of tax that would have been due at the 1% rate but
12 for the 0% rate imposed under Public Act 102-700. In the case
13 of retailers who report and pay the tax on a transaction by
14 transaction basis, as provided in this Section, such discount
15 shall be taken with each such tax remittance instead of when
16 such retailer files his periodic return, but, beginning with
17 returns due on or after January 1, 2025, the discount allowed
18 under this Section and the Retailers' Occupation Tax Act,
19 including any local tax administered by the Department and
20 reported on the same transaction return, shall not exceed
21 \$1,000 per month for all transaction returns filed during the
22 month. The discount allowed under this Section is allowed only
23 for returns that are filed in the manner required by this Act.
24 The Department may disallow the discount for retailers whose
25 certificate of registration is revoked at the time the return
26 is filed, but only if the Department's decision to revoke the

1 certificate of registration has become final. A retailer need
2 not remit that part of any tax collected by him to the extent
3 that he is required to remit and does remit the tax imposed by
4 the Retailers' Occupation Tax Act, with respect to the sale of
5 the same property.

6 Where such tangible personal property is sold under a
7 conditional sales contract, or under any other form of sale
8 wherein the payment of the principal sum, or a part thereof, is
9 extended beyond the close of the period for which the return is
10 filed, the retailer, in collecting the tax (except as to motor
11 vehicles, watercraft, aircraft, and trailers that are required
12 to be registered with an agency of this State), may collect for
13 each tax return period only the tax applicable to that part of
14 the selling price actually received during such tax return
15 period.

16 In the case of leases, except as otherwise provided in
17 this Act, the lessor, in collecting the tax, may collect for
18 each tax return period only the tax applicable to that part of
19 the selling price actually received during such tax return
20 period.

21 Except as provided in this Section, on or before the
22 twentieth day of each calendar month, such retailer shall file
23 a return for the preceding calendar month. Such return shall
24 be filed on forms prescribed by the Department and shall
25 furnish such information as the Department may reasonably
26 require. The return shall include the gross receipts on food

1 for human consumption that is to be consumed off the premises
2 where it is sold (other than alcoholic beverages, food
3 consisting of or infused with adult use cannabis, soft drinks,
4 and food that has been prepared for immediate consumption)
5 which were received during the preceding calendar month,
6 quarter, or year, as appropriate, and upon which tax would
7 have been due but for the 0% rate imposed under Public Act
8 102-700. The return shall also include the amount of tax that
9 would have been due on food for human consumption that is to be
10 consumed off the premises where it is sold (other than
11 alcoholic beverages, food consisting of or infused with adult
12 use cannabis, soft drinks, and food that has been prepared for
13 immediate consumption) but for the 0% rate imposed under
14 Public Act 102-700.

15 On and after January 1, 2018, except for returns required
16 to be filed prior to January 1, 2023 for motor vehicles,
17 watercraft, aircraft, and trailers that are required to be
18 registered with an agency of this State, with respect to
19 retailers whose annual gross receipts average \$20,000 or more,
20 all returns required to be filed pursuant to this Act shall be
21 filed electronically. On and after January 1, 2023, with
22 respect to retailers whose annual gross receipts average
23 \$20,000 or more, all returns required to be filed pursuant to
24 this Act, including, but not limited to, returns for motor
25 vehicles, watercraft, aircraft, and trailers that are required
26 to be registered with an agency of this State, shall be filed

1 electronically. Retailers who demonstrate that they do not
2 have access to the Internet or demonstrate hardship in filing
3 electronically may petition the Department to waive the
4 electronic filing requirement.

5 The Department may require returns to be filed on a
6 quarterly basis. If so required, a return for each calendar
7 quarter shall be filed on or before the twentieth day of the
8 calendar month following the end of such calendar quarter. The
9 taxpayer shall also file a return with the Department for each
10 of the first 2 ~~two~~ months of each calendar quarter, on or
11 before the twentieth day of the following calendar month,
12 stating:

- 13 1. The name of the seller;
- 14 2. The address of the principal place of business from
15 which he engages in the business of selling tangible
16 personal property at retail in this State;
- 17 3. The total amount of taxable receipts received by
18 him during the preceding calendar month from sales of
19 tangible personal property by him during such preceding
20 calendar month, including receipts from charge and time
21 sales, but less all deductions allowed by law;
- 22 4. The amount of credit provided in Section 2d of this
23 Act;
- 24 5. The amount of tax due;
- 25 5-5. The signature of the taxpayer; and
- 26 6. Such other reasonable information as the Department

1 may require.

2 Each retailer required or authorized to collect the tax
3 imposed by this Act on aviation fuel sold at retail in this
4 State during the preceding calendar month shall, instead of
5 reporting and paying tax on aviation fuel as otherwise
6 required by this Section, report and pay such tax on a separate
7 aviation fuel tax return. The requirements related to the
8 return shall be as otherwise provided in this Section.
9 Notwithstanding any other provisions of this Act to the
10 contrary, retailers collecting tax on aviation fuel shall file
11 all aviation fuel tax returns and shall make all aviation fuel
12 tax payments by electronic means in the manner and form
13 required by the Department. For purposes of this Section,
14 "aviation fuel" means jet fuel and aviation gasoline.

15 If a taxpayer fails to sign a return within 30 days after
16 the proper notice and demand for signature by the Department,
17 the return shall be considered valid and any amount shown to be
18 due on the return shall be deemed assessed.

19 Notwithstanding any other provision of this Act to the
20 contrary, retailers subject to tax on cannabis shall file all
21 cannabis tax returns and shall make all cannabis tax payments
22 by electronic means in the manner and form required by the
23 Department.

24 Beginning October 1, 1993, a taxpayer who has an average
25 monthly tax liability of \$150,000 or more shall make all
26 payments required by rules of the Department by electronic

1 funds transfer. Beginning October 1, 1994, a taxpayer who has
2 an average monthly tax liability of \$100,000 or more shall
3 make all payments required by rules of the Department by
4 electronic funds transfer. Beginning October 1, 1995, a
5 taxpayer who has an average monthly tax liability of \$50,000
6 or more shall make all payments required by rules of the
7 Department by electronic funds transfer. Beginning October 1,
8 2000, a taxpayer who has an annual tax liability of \$200,000 or
9 more shall make all payments required by rules of the
10 Department by electronic funds transfer. The term "annual tax
11 liability" shall be the sum of the taxpayer's liabilities
12 under this Act, and under all other State and local occupation
13 and use tax laws administered by the Department, for the
14 immediately preceding calendar year. The term "average monthly
15 tax liability" means the sum of the taxpayer's liabilities
16 under this Act, and under all other State and local occupation
17 and use tax laws administered by the Department, for the
18 immediately preceding calendar year divided by 12. Beginning
19 on October 1, 2002, a taxpayer who has a tax liability in the
20 amount set forth in subsection (b) of Section 2505-210 of the
21 Department of Revenue Law shall make all payments required by
22 rules of the Department by electronic funds transfer.

23 Before August 1 of each year beginning in 1993, the
24 Department shall notify all taxpayers required to make
25 payments by electronic funds transfer. All taxpayers required
26 to make payments by electronic funds transfer shall make those

1 payments for a minimum of one year beginning on October 1.

2 Any taxpayer not required to make payments by electronic
3 funds transfer may make payments by electronic funds transfer
4 with the permission of the Department.

5 All taxpayers required to make payment by electronic funds
6 transfer and any taxpayers authorized to voluntarily make
7 payments by electronic funds transfer shall make those
8 payments in the manner authorized by the Department.

9 The Department shall adopt such rules as are necessary to
10 effectuate a program of electronic funds transfer and the
11 requirements of this Section.

12 Before October 1, 2000, if the taxpayer's average monthly
13 tax liability to the Department under this Act, the Retailers'
14 Occupation Tax Act, the Service Occupation Tax Act, the
15 Service Use Tax Act was \$10,000 or more during the preceding 4
16 complete calendar quarters, he shall file a return with the
17 Department each month by the 20th day of the month next
18 following the month during which such tax liability is
19 incurred and shall make payments to the Department on or
20 before the 7th, 15th, 22nd and last day of the month during
21 which such liability is incurred. On and after October 1,
22 2000, if the taxpayer's average monthly tax liability to the
23 Department under this Act, the Retailers' Occupation Tax Act,
24 the Service Occupation Tax Act, and the Service Use Tax Act was
25 \$20,000 or more during the preceding 4 complete calendar
26 quarters, he shall file a return with the Department each

1 month by the 20th day of the month next following the month
2 during which such tax liability is incurred and shall make
3 payment to the Department on or before the 7th, 15th, 22nd and
4 last day of the month during which such liability is incurred.
5 If the month during which such tax liability is incurred began
6 prior to January 1, 1985, each payment shall be in an amount
7 equal to 1/4 of the taxpayer's actual liability for the month
8 or an amount set by the Department not to exceed 1/4 of the
9 average monthly liability of the taxpayer to the Department
10 for the preceding 4 complete calendar quarters (excluding the
11 month of highest liability and the month of lowest liability
12 in such 4 quarter period). If the month during which such tax
13 liability is incurred begins on or after January 1, 1985, and
14 prior to January 1, 1987, each payment shall be in an amount
15 equal to 22.5% of the taxpayer's actual liability for the
16 month or 27.5% of the taxpayer's liability for the same
17 calendar month of the preceding year. If the month during
18 which such tax liability is incurred begins on or after
19 January 1, 1987, and prior to January 1, 1988, each payment
20 shall be in an amount equal to 22.5% of the taxpayer's actual
21 liability for the month or 26.25% of the taxpayer's liability
22 for the same calendar month of the preceding year. If the month
23 during which such tax liability is incurred begins on or after
24 January 1, 1988, and prior to January 1, 1989, or begins on or
25 after January 1, 1996, each payment shall be in an amount equal
26 to 22.5% of the taxpayer's actual liability for the month or

1 25% of the taxpayer's liability for the same calendar month of
2 the preceding year. If the month during which such tax
3 liability is incurred begins on or after January 1, 1989, and
4 prior to January 1, 1996, each payment shall be in an amount
5 equal to 22.5% of the taxpayer's actual liability for the
6 month or 25% of the taxpayer's liability for the same calendar
7 month of the preceding year or 100% of the taxpayer's actual
8 liability for the quarter monthly reporting period. The amount
9 of such quarter monthly payments shall be credited against the
10 final tax liability of the taxpayer's return for that month.
11 Before October 1, 2000, once applicable, the requirement of
12 the making of quarter monthly payments to the Department shall
13 continue until such taxpayer's average monthly liability to
14 the Department during the preceding 4 complete calendar
15 quarters (excluding the month of highest liability and the
16 month of lowest liability) is less than \$9,000, or until such
17 taxpayer's average monthly liability to the Department as
18 computed for each calendar quarter of the 4 preceding complete
19 calendar quarter period is less than \$10,000. However, if a
20 taxpayer can show the Department that a substantial change in
21 the taxpayer's business has occurred which causes the taxpayer
22 to anticipate that his average monthly tax liability for the
23 reasonably foreseeable future will fall below the \$10,000
24 threshold stated above, then such taxpayer may petition the
25 Department for change in such taxpayer's reporting status. On
26 and after October 1, 2000, once applicable, the requirement of

1 the making of quarter monthly payments to the Department shall
2 continue until such taxpayer's average monthly liability to
3 the Department during the preceding 4 complete calendar
4 quarters (excluding the month of highest liability and the
5 month of lowest liability) is less than \$19,000 or until such
6 taxpayer's average monthly liability to the Department as
7 computed for each calendar quarter of the 4 preceding complete
8 calendar quarter period is less than \$20,000. However, if a
9 taxpayer can show the Department that a substantial change in
10 the taxpayer's business has occurred which causes the taxpayer
11 to anticipate that his average monthly tax liability for the
12 reasonably foreseeable future will fall below the \$20,000
13 threshold stated above, then such taxpayer may petition the
14 Department for a change in such taxpayer's reporting status.
15 The Department shall change such taxpayer's reporting status
16 unless it finds that such change is seasonal in nature and not
17 likely to be long term. Quarter monthly payment status shall
18 be determined under this paragraph as if the rate reduction to
19 1.25% in Public Act 102-700 on sales tax holiday items had not
20 occurred. For quarter monthly payments due on or after July 1,
21 2023 and through June 30, 2024, "25% of the taxpayer's
22 liability for the same calendar month of the preceding year"
23 shall be determined as if the rate reduction to 1.25% in Public
24 Act 102-700 on sales tax holiday items had not occurred.
25 Quarter monthly payment status shall be determined under this
26 paragraph as if the rate reduction to 0% in Public Act 102-700

1 on food for human consumption that is to be consumed off the
2 premises where it is sold (other than alcoholic beverages,
3 food consisting of or infused with adult use cannabis, soft
4 drinks, and food that has been prepared for immediate
5 consumption) had not occurred. For quarter monthly payments
6 due under this paragraph on or after July 1, 2023 and through
7 June 30, 2024, "25% of the taxpayer's liability for the same
8 calendar month of the preceding year" shall be determined as
9 if the rate reduction to 0% in Public Act 102-700 had not
10 occurred. If any such quarter monthly payment is not paid at
11 the time or in the amount required by this Section, then the
12 taxpayer shall be liable for penalties and interest on the
13 difference between the minimum amount due and the amount of
14 such quarter monthly payment actually and timely paid, except
15 insofar as the taxpayer has previously made payments for that
16 month to the Department in excess of the minimum payments
17 previously due as provided in this Section. The Department
18 shall make reasonable rules and regulations to govern the
19 quarter monthly payment amount and quarter monthly payment
20 dates for taxpayers who file on other than a calendar monthly
21 basis.

22 If any such payment provided for in this Section exceeds
23 the taxpayer's liabilities under this Act, the Retailers'
24 Occupation Tax Act, the Service Occupation Tax Act and the
25 Service Use Tax Act, as shown by an original monthly return,
26 the Department shall issue to the taxpayer a credit memorandum

1 no later than 30 days after the date of payment, which
2 memorandum may be submitted by the taxpayer to the Department
3 in payment of tax liability subsequently to be remitted by the
4 taxpayer to the Department or be assigned by the taxpayer to a
5 similar taxpayer under this Act, the Retailers' Occupation Tax
6 Act, the Service Occupation Tax Act or the Service Use Tax Act,
7 in accordance with reasonable rules and regulations to be
8 prescribed by the Department, except that if such excess
9 payment is shown on an original monthly return and is made
10 after December 31, 1986, no credit memorandum shall be issued,
11 unless requested by the taxpayer. If no such request is made,
12 the taxpayer may credit such excess payment against tax
13 liability subsequently to be remitted by the taxpayer to the
14 Department under this Act, the Retailers' Occupation Tax Act,
15 the Service Occupation Tax Act or the Service Use Tax Act, in
16 accordance with reasonable rules and regulations prescribed by
17 the Department. If the Department subsequently determines that
18 all or any part of the credit taken was not actually due to the
19 taxpayer, the taxpayer's vendor's discount shall be reduced,
20 if necessary, to reflect the difference between the credit
21 taken and that actually due, and the taxpayer shall be liable
22 for penalties and interest on such difference.

23 If the retailer is otherwise required to file a monthly
24 return and if the retailer's average monthly tax liability to
25 the Department does not exceed \$200, the Department may
26 authorize his returns to be filed on a quarter annual basis,

1 with the return for January, February, and March of a given
2 year being due by April 20 of such year; with the return for
3 April, May and June of a given year being due by July 20 of
4 such year; with the return for July, August and September of a
5 given year being due by October 20 of such year, and with the
6 return for October, November and December of a given year
7 being due by January 20 of the following year.

8 If the retailer is otherwise required to file a monthly or
9 quarterly return and if the retailer's average monthly tax
10 liability to the Department does not exceed \$50, the
11 Department may authorize his returns to be filed on an annual
12 basis, with the return for a given year being due by January 20
13 of the following year.

14 Such quarter annual and annual returns, as to form and
15 substance, shall be subject to the same requirements as
16 monthly returns.

17 Notwithstanding any other provision in this Act concerning
18 the time within which a retailer may file his return, in the
19 case of any retailer who ceases to engage in a kind of business
20 which makes him responsible for filing returns under this Act,
21 such retailer shall file a final return under this Act with the
22 Department not more than one month after discontinuing such
23 business.

24 In addition, with respect to motor vehicles, watercraft,
25 aircraft, and trailers that are required to be registered with
26 an agency of this State, except as otherwise provided in this

1 Section, every retailer selling this kind of tangible personal
2 property shall file, with the Department, upon a form to be
3 prescribed and supplied by the Department, a separate return
4 for each such item of tangible personal property which the
5 retailer sells, except that if, in the same transaction, (i) a
6 retailer of aircraft, watercraft, motor vehicles or trailers
7 transfers more than one aircraft, watercraft, motor vehicle or
8 trailer to another aircraft, watercraft, motor vehicle or
9 trailer retailer for the purpose of resale or (ii) a retailer
10 of aircraft, watercraft, motor vehicles, or trailers transfers
11 more than one aircraft, watercraft, motor vehicle, or trailer
12 to a purchaser for use as a qualifying rolling stock as
13 provided in Section 3-55 of this Act, then that seller may
14 report the transfer of all the aircraft, watercraft, motor
15 vehicles or trailers involved in that transaction to the
16 Department on the same uniform invoice-transaction reporting
17 return form. For purposes of this Section, "watercraft" means
18 a Class 2, Class 3, or Class 4 watercraft as defined in Section
19 3-2 of the Boat Registration and Safety Act, a personal
20 watercraft, or any boat equipped with an inboard motor.

21 In addition, with respect to motor vehicles, watercraft,
22 aircraft, and trailers that are required to be registered with
23 an agency of this State, every person who is engaged in the
24 business of leasing or renting such items and who, in
25 connection with such business, sells any such item to a
26 retailer for the purpose of resale is, notwithstanding any

1 other provision of this Section to the contrary, authorized to
2 meet the return-filing requirement of this Act by reporting
3 the transfer of all the aircraft, watercraft, motor vehicles,
4 or trailers transferred for resale during a month to the
5 Department on the same uniform invoice-transaction reporting
6 return form on or before the 20th of the month following the
7 month in which the transfer takes place. Notwithstanding any
8 other provision of this Act to the contrary, all returns filed
9 under this paragraph must be filed by electronic means in the
10 manner and form as required by the Department.

11 The transaction reporting return in the case of motor
12 vehicles or trailers that are required to be registered with
13 an agency of this State, shall be the same document as the
14 Uniform Invoice referred to in Section 5-402 of the Illinois
15 Vehicle Code and must show the name and address of the seller;
16 the name and address of the purchaser; the amount of the
17 selling price including the amount allowed by the retailer for
18 traded-in property, if any; the amount allowed by the retailer
19 for the traded-in tangible personal property, if any, to the
20 extent to which Section 2 of this Act allows an exemption for
21 the value of traded-in property; the balance payable after
22 deducting such trade-in allowance from the total selling
23 price; the amount of tax due from the retailer with respect to
24 such transaction; the amount of tax collected from the
25 purchaser by the retailer on such transaction (or satisfactory
26 evidence that such tax is not due in that particular instance,

1 if that is claimed to be the fact); the place and date of the
2 sale; a sufficient identification of the property sold; such
3 other information as is required in Section 5-402 of the
4 Illinois Vehicle Code, and such other information as the
5 Department may reasonably require.

6 The transaction reporting return in the case of watercraft
7 and aircraft must show the name and address of the seller; the
8 name and address of the purchaser; the amount of the selling
9 price including the amount allowed by the retailer for
10 traded-in property, if any; the amount allowed by the retailer
11 for the traded-in tangible personal property, if any, to the
12 extent to which Section 2 of this Act allows an exemption for
13 the value of traded-in property; the balance payable after
14 deducting such trade-in allowance from the total selling
15 price; the amount of tax due from the retailer with respect to
16 such transaction; the amount of tax collected from the
17 purchaser by the retailer on such transaction (or satisfactory
18 evidence that such tax is not due in that particular instance,
19 if that is claimed to be the fact); the place and date of the
20 sale, a sufficient identification of the property sold, and
21 such other information as the Department may reasonably
22 require.

23 Such transaction reporting return shall be filed not later
24 than 20 days after the date of delivery of the item that is
25 being sold, but may be filed by the retailer at any time sooner
26 than that if he chooses to do so. The transaction reporting

1 return and tax remittance or proof of exemption from the tax
2 that is imposed by this Act may be transmitted to the
3 Department by way of the State agency with which, or State
4 officer with whom, the tangible personal property must be
5 titled or registered (if titling or registration is required)
6 if the Department and such agency or State officer determine
7 that this procedure will expedite the processing of
8 applications for title or registration.

9 With each such transaction reporting return, the retailer
10 shall remit the proper amount of tax due (or shall submit
11 satisfactory evidence that the sale is not taxable if that is
12 the case), to the Department or its agents, whereupon the
13 Department shall issue, in the purchaser's name, a tax receipt
14 (or a certificate of exemption if the Department is satisfied
15 that the particular sale is tax exempt) which such purchaser
16 may submit to the agency with which, or State officer with
17 whom, he must title or register the tangible personal property
18 that is involved (if titling or registration is required) in
19 support of such purchaser's application for an Illinois
20 certificate or other evidence of title or registration to such
21 tangible personal property.

22 No retailer's failure or refusal to remit tax under this
23 Act precludes a user, who has paid the proper tax to the
24 retailer, from obtaining his certificate of title or other
25 evidence of title or registration (if titling or registration
26 is required) upon satisfying the Department that such user has

1 paid the proper tax (if tax is due) to the retailer. The
2 Department shall adopt appropriate rules to carry out the
3 mandate of this paragraph.

4 If the user who would otherwise pay tax to the retailer
5 wants the transaction reporting return filed and the payment
6 of tax or proof of exemption made to the Department before the
7 retailer is willing to take these actions and such user has not
8 paid the tax to the retailer, such user may certify to the fact
9 of such delay by the retailer, and may (upon the Department
10 being satisfied of the truth of such certification) transmit
11 the information required by the transaction reporting return
12 and the remittance for tax or proof of exemption directly to
13 the Department and obtain his tax receipt or exemption
14 determination, in which event the transaction reporting return
15 and tax remittance (if a tax payment was required) shall be
16 credited by the Department to the proper retailer's account
17 with the Department, but without the vendor's discount
18 provided for in this Section being allowed. When the user pays
19 the tax directly to the Department, he shall pay the tax in the
20 same amount and in the same form in which it would be remitted
21 if the tax had been remitted to the Department by the retailer.

22 On and after January 1, 2025, with respect to the lease of
23 trailers, other than semitrailers as defined in Section 1-187
24 of the Illinois Vehicle Code, that are required to be
25 registered with an agency of this State and that are subject to
26 the tax on lease receipts under this Act, notwithstanding any

1 other provision of this Act to the contrary, for the purpose of
2 reporting and paying tax under this Act on those lease
3 receipts, lessors shall file returns in addition to and
4 separate from the transaction reporting return. Lessors shall
5 file those lease returns and make payment to the Department by
6 electronic means on or before the 20th day of each month
7 following the month, quarter, or year, as applicable, in which
8 lease receipts were received. All lease receipts received by
9 the lessor from the lease of those trailers during the same
10 reporting period shall be reported and tax shall be paid on a
11 single return form to be prescribed by the Department.

12 Where a retailer collects the tax with respect to the
13 selling price of tangible personal property which he sells and
14 the purchaser thereafter returns such tangible personal
15 property and the retailer refunds the selling price thereof to
16 the purchaser, such retailer shall also refund, to the
17 purchaser, the tax so collected from the purchaser. When
18 filing his return for the period in which he refunds such tax
19 to the purchaser, the retailer may deduct the amount of the tax
20 so refunded by him to the purchaser from any other use tax
21 which such retailer may be required to pay or remit to the
22 Department, as shown by such return, if the amount of the tax
23 to be deducted was previously remitted to the Department by
24 such retailer. If the retailer has not previously remitted the
25 amount of such tax to the Department, he is entitled to no
26 deduction under this Act upon refunding such tax to the

1 purchaser.

2 Any retailer filing a return under this Section shall also
3 include (for the purpose of paying tax thereon) the total tax
4 covered by such return upon the selling price of tangible
5 personal property purchased by him at retail from a retailer,
6 but as to which the tax imposed by this Act was not collected
7 from the retailer filing such return, and such retailer shall
8 remit the amount of such tax to the Department when filing such
9 return.

10 If experience indicates such action to be practicable, the
11 Department may prescribe and furnish a combination or joint
12 return which will enable retailers, who are required to file
13 returns hereunder and also under the Retailers' Occupation Tax
14 Act, to furnish all the return information required by both
15 Acts on the one form.

16 Where the retailer has more than one business registered
17 with the Department under separate registration under this
18 Act, such retailer may not file each return that is due as a
19 single return covering all such registered businesses, but
20 shall file separate returns for each such registered business.

21 Beginning January 1, 1990, each month the Department shall
22 pay into the State and Local Sales Tax Reform Fund, a special
23 fund in the State treasury which is hereby created, the net
24 revenue realized for the preceding month from the 1% tax
25 imposed under this Act.

26 Beginning January 1, 1990, each month the Department shall

1 pay into the County and Mass Transit District Fund 4% of the
2 net revenue realized for the preceding month from the 6.25%
3 general rate on the selling price of tangible personal
4 property which is purchased outside Illinois at retail from a
5 retailer and which is titled or registered by an agency of this
6 State's government.

7 Beginning January 1, 1990, each month the Department shall
8 pay into the State and Local Sales Tax Reform Fund, a special
9 fund in the State treasury, 20% of the net revenue realized for
10 the preceding month from the 6.25% general rate on the selling
11 price of tangible personal property, other than (i) tangible
12 personal property which is purchased outside Illinois at
13 retail from a retailer and which is titled or registered by an
14 agency of this State's government and (ii) aviation fuel sold
15 on or after December 1, 2019. This exception for aviation fuel
16 only applies for so long as the revenue use requirements of 49
17 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

18 For aviation fuel sold on or after December 1, 2019, each
19 month the Department shall pay into the State Aviation Program
20 Fund 20% of the net revenue realized for the preceding month
21 from the 6.25% general rate on the selling price of aviation
22 fuel, less an amount estimated by the Department to be
23 required for refunds of the 20% portion of the tax on aviation
24 fuel under this Act, which amount shall be deposited into the
25 Aviation Fuel Sales Tax Refund Fund. The Department shall only
26 pay moneys into the State Aviation Program Fund and the

1 Aviation Fuels Sales Tax Refund Fund under this Act for so long
2 as the revenue use requirements of 49 U.S.C. 47107(b) and 49
3 U.S.C. 47133 are binding on the State.

4 Beginning August 1, 2000, each month the Department shall
5 pay into the State and Local Sales Tax Reform Fund 100% of the
6 net revenue realized for the preceding month from the 1.25%
7 rate on the selling price of motor fuel and gasohol. If, in any
8 month, the tax on sales tax holiday items, as defined in
9 Section 3-6, is imposed at the rate of 1.25%, then the
10 Department shall pay 100% of the net revenue realized for that
11 month from the 1.25% rate on the selling price of sales tax
12 holiday items into the State and Local Sales Tax Reform Fund.

13 Beginning February 1, 2027, each month the Department
14 shall pay into the State and Local Sales Tax Reform Fund 100%
15 of the net revenue realized for the preceding month from the
16 1.25% rate on the selling price of clothing with a selling
17 price of less than \$100.

18 Beginning January 1, 1990, each month the Department shall
19 pay into the Local Government Tax Fund 16% of the net revenue
20 realized for the preceding month from the 6.25% general rate
21 on the selling price of tangible personal property which is
22 purchased outside Illinois at retail from a retailer and which
23 is titled or registered by an agency of this State's
24 government.

25 Beginning October 1, 2009, each month the Department shall
26 pay into the Capital Projects Fund an amount that is equal to

1 an amount estimated by the Department to represent 80% of the
2 net revenue realized for the preceding month from the sale of
3 candy, grooming and hygiene products, and soft drinks that had
4 been taxed at a rate of 1% prior to September 1, 2009 but that
5 are now taxed at 6.25%.

6 Beginning July 1, 2011, each month the Department shall
7 pay into the Clean Air Act Permit Fund 80% of the net revenue
8 realized for the preceding month from the 6.25% general rate
9 on the selling price of sorbents used in Illinois in the
10 process of sorbent injection as used to comply with the
11 Environmental Protection Act or the federal Clean Air Act, but
12 the total payment into the Clean Air Act Permit Fund under this
13 Act and the Retailers' Occupation Tax Act shall not exceed
14 \$2,000,000 in any fiscal year.

15 Beginning July 1, 2013, each month the Department shall
16 pay into the Underground Storage Tank Fund from the proceeds
17 collected under this Act, the Service Use Tax Act, the Service
18 Occupation Tax Act, and the Retailers' Occupation Tax Act an
19 amount equal to the average monthly deficit in the Underground
20 Storage Tank Fund during the prior year, as certified annually
21 by the Illinois Environmental Protection Agency, but the total
22 payment into the Underground Storage Tank Fund under this Act,
23 the Service Use Tax Act, the Service Occupation Tax Act, and
24 the Retailers' Occupation Tax Act shall not exceed \$18,000,000
25 in any State fiscal year. As used in this paragraph, the
26 "average monthly deficit" shall be equal to the difference

1 between the average monthly claims for payment by the fund and
2 the average monthly revenues deposited into the fund,
3 excluding payments made pursuant to this paragraph.

4 Beginning July 1, 2015, of the remainder of the moneys
5 received by the Department under this Act, the Service Use Tax
6 Act, the Service Occupation Tax Act, and the Retailers'
7 Occupation Tax Act, each month the Department shall deposit
8 \$500,000 into the State Crime Laboratory Fund.

9 Of the remainder of the moneys received by the Department
10 pursuant to this Act, (a) 1.75% thereof shall be paid into the
11 Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on
12 and after July 1, 1989, 3.8% thereof shall be paid into the
13 Build Illinois Fund; provided, however, that if in any fiscal
14 year the sum of (1) the aggregate of 2.2% or 3.8%, as the case
15 may be, of the moneys received by the Department and required
16 to be paid into the Build Illinois Fund pursuant to Section 3
17 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax
18 Act, Section 9 of the Service Use Tax Act, and Section 9 of the
19 Service Occupation Tax Act, such Acts being hereinafter called
20 the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case
21 may be, of moneys being hereinafter called the "Tax Act
22 Amount", and (2) the amount transferred to the Build Illinois
23 Fund from the State and Local Sales Tax Reform Fund shall be
24 less than the Annual Specified Amount (as defined in Section 3
25 of the Retailers' Occupation Tax Act), an amount equal to the
26 difference shall be immediately paid into the Build Illinois

1 Fund from other moneys received by the Department pursuant to
2 the Tax Acts; and further provided, that if on the last
3 business day of any month the sum of (1) the Tax Act Amount
4 required to be deposited into the Build Illinois Bond Account
5 in the Build Illinois Fund during such month and (2) the amount
6 transferred during such month to the Build Illinois Fund from
7 the State and Local Sales Tax Reform Fund shall have been less
8 than 1/12 of the Annual Specified Amount, an amount equal to
9 the difference shall be immediately paid into the Build
10 Illinois Fund from other moneys received by the Department
11 pursuant to the Tax Acts; and, further provided, that in no
12 event shall the payments required under the preceding proviso
13 result in aggregate payments into the Build Illinois Fund
14 pursuant to this clause (b) for any fiscal year in excess of
15 the greater of (i) the Tax Act Amount or (ii) the Annual
16 Specified Amount for such fiscal year; and, further provided,
17 that the amounts payable into the Build Illinois Fund under
18 this clause (b) shall be payable only until such time as the
19 aggregate amount on deposit under each trust indenture
20 securing Bonds issued and outstanding pursuant to the Build
21 Illinois Bond Act is sufficient, taking into account any
22 future investment income, to fully provide, in accordance with
23 such indenture, for the defeasance of or the payment of the
24 principal of, premium, if any, and interest on the Bonds
25 secured by such indenture and on any Bonds expected to be
26 issued thereafter and all fees and costs payable with respect

1 thereto, all as certified by the Director of the Bureau of the
2 Budget (now Governor's Office of Management and Budget). If on
3 the last business day of any month in which Bonds are
4 outstanding pursuant to the Build Illinois Bond Act, the
5 aggregate of the moneys deposited into ~~in~~ the Build Illinois
6 Bond Account in the Build Illinois Fund in such month shall be
7 less than the amount required to be transferred in such month
8 from the Build Illinois Bond Account to the Build Illinois
9 Bond Retirement and Interest Fund pursuant to Section 13 of
10 the Build Illinois Bond Act, an amount equal to such
11 deficiency shall be immediately paid from other moneys
12 received by the Department pursuant to the Tax Acts to the
13 Build Illinois Fund; provided, however, that any amounts paid
14 to the Build Illinois Fund in any fiscal year pursuant to this
15 sentence shall be deemed to constitute payments pursuant to
16 clause (b) of the preceding sentence and shall reduce the
17 amount otherwise payable for such fiscal year pursuant to
18 clause (b) of the preceding sentence. The moneys received by
19 the Department pursuant to this Act and required to be
20 deposited into the Build Illinois Fund are subject to the
21 pledge, claim and charge set forth in Section 12 of the Build
22 Illinois Bond Act.

23 Subject to payment of amounts into the Build Illinois Fund
24 as provided in the preceding paragraph or in any amendment
25 thereto hereafter enacted, the following specified monthly
26 installment of the amount requested in the certificate of the

1 Chairman of the Metropolitan Pier and Exposition Authority
2 provided under Section 8.25f of the State Finance Act, but not
3 in excess of the sums designated as "Total Deposit", shall be
4 deposited in the aggregate from collections under Section 9 of
5 the Use Tax Act, Section 9 of the Service Use Tax Act, Section
6 9 of the Service Occupation Tax Act, and Section 3 of the
7 Retailers' Occupation Tax Act into the McCormick Place
8 Expansion Project Fund in the specified fiscal years.

9	Fiscal Year	Total Deposit
10	1993	\$0
11	1994	53,000,000
12	1995	58,000,000
13	1996	61,000,000
14	1997	64,000,000
15	1998	68,000,000
16	1999	71,000,000
17	2000	75,000,000
18	2001	80,000,000
19	2002	93,000,000
20	2003	99,000,000
21	2004	103,000,000
22	2005	108,000,000
23	2006	113,000,000
24	2007	119,000,000
25	2008	126,000,000
26	2009	132,000,000

1	2010	139,000,000
2	2011	146,000,000
3	2012	153,000,000
4	2013	161,000,000
5	2014	170,000,000
6	2015	179,000,000
7	2016	189,000,000
8	2017	199,000,000
9	2018	210,000,000
10	2019	221,000,000
11	2020	233,000,000
12	2021	300,000,000
13	2022	300,000,000
14	2023	300,000,000
15	2024	300,000,000
16	2025	300,000,000
17	2026	300,000,000
18	2027	375,000,000
19	2028	375,000,000
20	2029	375,000,000
21	2030	375,000,000
22	2031	375,000,000
23	2032	375,000,000
24	2033	375,000,000
25	2034	375,000,000
26	2035	375,000,000

1 2036 450,000,000
2 and
3 each fiscal year
4 thereafter that bonds
5 are outstanding under
6 Section 13.2 of the
7 Metropolitan Pier and
8 Exposition Authority Act,
9 but not after fiscal year 2060.

10 Beginning July 20, 1993 and in each month of each fiscal
11 year thereafter, one-eighth of the amount requested in the
12 certificate of the Chairman of the Metropolitan Pier and
13 Exposition Authority for that fiscal year, less the amount
14 deposited into the McCormick Place Expansion Project Fund by
15 the State Treasurer in the respective month under subsection
16 (g) of Section 13 of the Metropolitan Pier and Exposition
17 Authority Act, plus cumulative deficiencies in the deposits
18 required under this Section for previous months and years,
19 shall be deposited into the McCormick Place Expansion Project
20 Fund, until the full amount requested for the fiscal year, but
21 not in excess of the amount specified above as "Total
22 Deposit", has been deposited.

23 Subject to payment of amounts into the Capital Projects
24 Fund, the Clean Air Act Permit Fund, the Build Illinois Fund,
25 and the McCormick Place Expansion Project Fund pursuant to the
26 preceding paragraphs or in any amendments thereto hereafter

1 enacted, for aviation fuel sold on or after December 1, 2019,
2 the Department shall each month deposit into the Aviation Fuel
3 Sales Tax Refund Fund an amount estimated by the Department to
4 be required for refunds of the 80% portion of the tax on
5 aviation fuel under this Act. The Department shall only
6 deposit moneys into the Aviation Fuel Sales Tax Refund Fund
7 under this paragraph for so long as the revenue use
8 requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are
9 binding on the State.

10 Subject to payment of amounts into the Build Illinois Fund
11 and the McCormick Place Expansion Project Fund pursuant to the
12 preceding paragraphs or in any amendments thereto hereafter
13 enacted, beginning July 1, 1993 and ending on September 30,
14 2013, the Department shall each month pay into the Illinois
15 Tax Increment Fund 0.27% of 80% of the net revenue realized for
16 the preceding month from the 6.25% general rate on the selling
17 price of tangible personal property.

18 Subject to payment of amounts into the Build Illinois
19 Fund, the McCormick Place Expansion Project Fund, the Illinois
20 Tax Increment Fund, and the Energy Infrastructure Fund
21 pursuant to the preceding paragraphs or in any amendments to
22 this Section hereafter enacted, beginning on the first day of
23 the first calendar month to occur on or after August 26, 2014
24 (the effective date of Public Act 98-1098), each month, from
25 the collections made under Section 9 of the Use Tax Act,
26 Section 9 of the Service Use Tax Act, Section 9 of the Service

1 Occupation Tax Act, and Section 3 of the Retailers' Occupation
2 Tax Act, the Department shall pay into the Tax Compliance and
3 Administration Fund, to be used, subject to appropriation, to
4 fund additional auditors and compliance personnel at the
5 Department of Revenue, an amount equal to 1/12 of 5% of 80% of
6 the cash receipts collected during the preceding fiscal year
7 by the Audit Bureau of the Department under the Use Tax Act,
8 the Service Use Tax Act, the Service Occupation Tax Act, the
9 Retailers' Occupation Tax Act, and associated local occupation
10 and use taxes administered by the Department.

11 Subject to payments of amounts into the Build Illinois
12 Fund, the McCormick Place Expansion Project Fund, the Illinois
13 Tax Increment Fund, and the Tax Compliance and Administration
14 Fund as provided in this Section, beginning on July 1, 2018 the
15 Department shall pay each month into the Downstate Public
16 Transportation Fund the moneys required to be so paid under
17 Section 2-3 of the Downstate Public Transportation Act.

18 Subject to successful execution and delivery of a
19 public-private agreement between the public agency and private
20 entity and completion of the civic build, beginning on July 1,
21 2023, of the remainder of the moneys received by the
22 Department under the Use Tax Act, the Service Use Tax Act, the
23 Service Occupation Tax Act, and this Act, the Department shall
24 deposit the following specified deposits in the aggregate from
25 collections under the Use Tax Act, the Service Use Tax Act, the
26 Service Occupation Tax Act, and the Retailers' Occupation Tax

1 Act, as required under Section 8.25g of the State Finance Act
 2 for distribution consistent with the Public-Private
 3 Partnership for Civic and Transit Infrastructure Project Act.
 4 The moneys received by the Department pursuant to this Act and
 5 required to be deposited into the Civic and Transit
 6 Infrastructure Fund are subject to the pledge, claim, and
 7 charge set forth in Section 25-55 of the Public-Private
 8 Partnership for Civic and Transit Infrastructure Project Act.
 9 As used in this paragraph, "civic build", "private entity",
 10 "public-private agreement", and "public agency" have the
 11 meanings provided in Section 25-10 of the Public-Private
 12 Partnership for Civic and Transit Infrastructure Project Act.

13	Fiscal Year.....	Total Deposit
14	2024	\$200,000,000
15	2025	\$206,000,000
16	2026	\$212,200,000
17	2027	\$218,500,000
18	2028	\$225,100,000
19	2029	\$288,700,000
20	2030	\$298,900,000
21	2031	\$309,300,000
22	2032	\$320,100,000
23	2033	\$331,200,000
24	2034	\$341,200,000
25	2035	\$351,400,000
26	2036	\$361,900,000

1	2037	.....	\$372,800,000
2	2038	.....	\$384,000,000
3	2039	.....	\$395,500,000
4	2040	.....	\$407,400,000
5	2041	.....	\$419,600,000
6	2042	.....	\$432,200,000
7	2043	.....	\$445,100,000

8 Beginning July 1, 2021 and until July 1, 2022, subject to
9 the payment of amounts into the State and Local Sales Tax
10 Reform Fund, the Build Illinois Fund, the McCormick Place
11 Expansion Project Fund, the Illinois Tax Increment Fund, and
12 the Tax Compliance and Administration Fund as provided in this
13 Section, the Department shall pay each month into the Road
14 Fund the amount estimated to represent 16% of the net revenue
15 realized from the taxes imposed on motor fuel and gasohol.
16 Beginning July 1, 2022 and until July 1, 2023, subject to the
17 payment of amounts into the State and Local Sales Tax Reform
18 Fund, the Build Illinois Fund, the McCormick Place Expansion
19 Project Fund, the Illinois Tax Increment Fund, and the Tax
20 Compliance and Administration Fund as provided in this
21 Section, the Department shall pay each month into the Road
22 Fund the amount estimated to represent 32% of the net revenue
23 realized from the taxes imposed on motor fuel and gasohol.
24 Beginning July 1, 2023 and until July 1, 2024, subject to the
25 payment of amounts into the State and Local Sales Tax Reform
26 Fund, the Build Illinois Fund, the McCormick Place Expansion

1 Project Fund, the Illinois Tax Increment Fund, and the Tax
2 Compliance and Administration Fund as provided in this
3 Section, the Department shall pay each month into the Road
4 Fund the amount estimated to represent 48% of the net revenue
5 realized from the taxes imposed on motor fuel and gasohol.
6 Beginning July 1, 2024 and until July 1, 2026, subject to the
7 payment of amounts into the State and Local Sales Tax Reform
8 Fund, the Build Illinois Fund, the McCormick Place Expansion
9 Project Fund, the Illinois Tax Increment Fund, and the Tax
10 Compliance and Administration Fund as provided in this
11 Section, the Department shall pay each month into the Road
12 Fund the amount estimated to represent 64% of the net revenue
13 realized from the taxes imposed on motor fuel and gasohol.
14 Beginning on July 1, 2026, subject to the payment of amounts
15 into the State and Local Sales Tax Reform Fund, the Build
16 Illinois Fund, the McCormick Place Expansion Project Fund, the
17 Illinois Tax Increment Fund, and the Tax Compliance and
18 Administration Fund as provided in this Section, the
19 Department shall pay each month into the Road Fund the amount
20 estimated to represent 80% of the net revenue realized from
21 the taxes imposed on motor fuel and gasohol. As used in this
22 paragraph, "motor fuel" has the meaning given to that term in
23 Section 1.1 of the Motor Fuel Tax Law, and "gasohol" has the
24 meaning given to that term in Section 3-40 of this Act.

25 Until July 1, 2025, of the remainder of the moneys
26 received by the Department pursuant to this Act, 75% thereof

1 shall be paid into the State treasury and 25% shall be reserved
2 in a special account and used only for the transfer to the
3 Common School Fund as part of the monthly transfer from the
4 General Revenue Fund in accordance with Section 8a of the
5 State Finance Act. Beginning July 1, 2025, of the remainder of
6 the moneys received by the Department pursuant to this Act,
7 75% shall be deposited into the General Revenue Fund and 25%
8 shall be deposited into the Common School Fund.

9 As soon as possible after the first day of each month, upon
10 certification of the Department of Revenue, the Comptroller
11 shall order transferred and the Treasurer shall transfer from
12 the General Revenue Fund to the Motor Fuel Tax Fund an amount
13 equal to 1.7% of 80% of the net revenue realized under this Act
14 for the second preceding month. Beginning April 1, 2000, this
15 transfer is no longer required and shall not be made.

16 Net revenue realized for a month shall be the revenue
17 collected by the State pursuant to this Act, less the amount
18 paid out during that month as refunds to taxpayers for
19 overpayment of liability.

20 For greater simplicity of administration, manufacturers,
21 importers and wholesalers whose products are sold at retail in
22 Illinois by numerous retailers, and who wish to do so, may
23 assume the responsibility for accounting and paying to the
24 Department all tax accruing under this Act with respect to
25 such sales, if the retailers who are affected do not make
26 written objection to the Department to this arrangement.

1 (Source: P.A. 103-154, eff. 6-30-23; 103-363, eff. 7-28-23;
2 103-592, Article 75, Section 75-5, eff. 1-1-25; 103-592,
3 Article 110, Section 110-5, eff. 6-7-24; 103-1055, eff.
4 12-20-24; 104-6, Article 5, Section 5-10, eff. 6-16-25; 104-6,
5 Article 35, Section 35-20, eff. 6-16-25; revised 7-21-25.)

6 Section 10. The Service Use Tax Act is amended by changing
7 Sections 3-10 and 9 as follows:

8 (35 ILCS 110/3-10) (from Ch. 120, par. 439.33-10)

9 Sec. 3-10. Rate of tax. Unless otherwise provided in this
10 Section, the tax imposed by this Act is at the rate of 6.25% of
11 the selling price of tangible personal property transferred,
12 including, on and after January 1, 2025, transferred by lease,
13 as an incident to the sale of service, but, for the purpose of
14 computing this tax, in no event shall the selling price be less
15 than the cost price of the property to the serviceman.

16 Beginning on July 1, 2000 and through December 31, 2000,
17 with respect to motor fuel, as defined in Section 1.1 of the
18 Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of
19 the Use Tax Act, the tax is imposed at the rate of 1.25%.

20 With respect to gasohol, as defined in the Use Tax Act, the
21 tax imposed by this Act applies to (i) 70% of the selling price
22 of property transferred as an incident to the sale of service
23 on or after January 1, 1990, and before July 1, 2003, (ii) 80%
24 of the selling price of property transferred as an incident to

1 the sale of service on or after July 1, 2003 and on or before
2 July 1, 2017, (iii) 100% of the selling price of property
3 transferred as an incident to the sale of service after July 1,
4 2017 and before January 1, 2024, (iv) 90% of the selling price
5 of property transferred as an incident to the sale of service
6 on or after January 1, 2024 and on or before December 31, 2028,
7 and (v) 100% of the selling price of property transferred as an
8 incident to the sale of service after December 31, 2028. If, at
9 any time, however, the tax under this Act on sales of gasohol,
10 as defined in the Use Tax Act, is imposed at the rate of 1.25%,
11 then the tax imposed by this Act applies to 100% of the
12 proceeds of sales of gasohol made during that time.

13 With respect to mid-range ethanol blends, as defined in
14 Section 3-44.3 of the Use Tax Act, the tax imposed by this Act
15 applies to (i) 80% of the selling price of property
16 transferred as an incident to the sale of service on or after
17 January 1, 2024 and on or before December 31, 2028 and (ii)
18 100% of the selling price of property transferred as an
19 incident to the sale of service after December 31, 2028. If, at
20 any time, however, the tax under this Act on sales of mid-range
21 ethanol blends is imposed at the rate of 1.25%, then the tax
22 imposed by this Act applies to 100% of the selling price of
23 mid-range ethanol blends transferred as an incident to the
24 sale of service during that time.

25 With respect to majority blended ethanol fuel, as defined
26 in the Use Tax Act, the tax imposed by this Act does not apply

1 to the selling price of property transferred as an incident to
2 the sale of service on or after July 1, 2003 and on or before
3 December 31, 2028 but applies to 100% of the selling price
4 thereafter.

5 With respect to biodiesel blends, as defined in the Use
6 Tax Act, with no less than 1% and no more than 10% biodiesel,
7 the tax imposed by this Act applies to (i) 80% of the selling
8 price of property transferred as an incident to the sale of
9 service on or after July 1, 2003 and on or before December 31,
10 2018 and (ii) 100% of the proceeds of the selling price after
11 December 31, 2018 and before January 1, 2024. On and after
12 January 1, 2024 and on or before December 31, 2030, the
13 taxation of biodiesel, renewable diesel, and biodiesel blends
14 shall be as provided in Section 3-5.1 of the Use Tax Act. If,
15 at any time, however, the tax under this Act on sales of
16 biodiesel blends, as defined in the Use Tax Act, with no less
17 than 1% and no more than 10% biodiesel is imposed at the rate
18 of 1.25%, then the tax imposed by this Act applies to 100% of
19 the proceeds of sales of biodiesel blends with no less than 1%
20 and no more than 10% biodiesel made during that time.

21 With respect to biodiesel, as defined in the Use Tax Act,
22 and biodiesel blends, as defined in the Use Tax Act, with more
23 than 10% but no more than 99% biodiesel, the tax imposed by
24 this Act does not apply to the proceeds of the selling price of
25 property transferred as an incident to the sale of service on
26 or after July 1, 2003 and on or before December 31, 2023. On

1 and after January 1, 2024 and on or before December 31, 2030,
2 the taxation of biodiesel, renewable diesel, and biodiesel
3 blends shall be as provided in Section 3-5.1 of the Use Tax
4 Act.

5 Beginning on January 1, 2027, with respect to clothing
6 with a selling price of less than \$100, the tax is imposed at
7 the rate of 1.25%. For the purpose of applying this reduced
8 rate of tax, the term "clothing" means human-worn apparel that
9 is suitable for general use. The term "clothing" includes, but
10 is not limited to: household and shop aprons; athletic
11 supporters; bathing suits and caps; belts and suspenders;
12 boots; coats and jackets; ear muffs; footlets; gloves and
13 mittens for general use; hats and caps; hosiery; insoles for
14 shoes; lab coats; neckties; overshoes; pantyhose; rainwear;
15 rubber pants; sandals; scarves; shoes and shoelaces; slippers;
16 sneakers and athletic shoes; socks and stockings; steel-toed
17 shoes; underwear; and school uniforms. Except as otherwise
18 specifically provided in this Section, "clothing" does not
19 include clothing accessories, protective equipment, or sport
20 or recreational equipment. "Clothing accessories" means, but
21 is not limited to: briefcases; cosmetics; hair notions,
22 including, but not limited to barrettes, hair bows, and hair
23 nets; handbags; handkerchiefs; jewelry; non-prescription
24 sunglasses; umbrellas; wallets; watches; and wigs and hair
25 pieces. The reduction in the rate of tax for clothing with a
26 selling price of less than \$100 is exempt from the provisions

1 of Section 3-75.

2 At the election of any registered serviceman made for each
3 fiscal year, sales of service in which the aggregate annual
4 cost price of tangible personal property transferred as an
5 incident to the sales of service is less than 35%, or 75% in
6 the case of servicemen transferring prescription drugs or
7 servicemen engaged in graphic arts production, of the
8 aggregate annual total gross receipts from all sales of
9 service, the tax imposed by this Act shall be based on the
10 serviceman's cost price of the tangible personal property
11 transferred as an incident to the sale of those services.

12 Until July 1, 2022 and from July 1, 2023 through December
13 31, 2025, the tax shall be imposed at the rate of 1% on food
14 prepared for immediate consumption and transferred incident to
15 a sale of service subject to this Act or the Service Occupation
16 Tax Act by an entity licensed under the Hospital Licensing
17 Act, the Nursing Home Care Act, the Assisted Living and Shared
18 Housing Act, the ID/DD Community Care Act, the MC/DD Act, the
19 Specialized Mental Health Rehabilitation Act of 2013, or the
20 Child Care Act of 1969, or an entity that holds a permit issued
21 pursuant to the Life Care Facilities Act. Until July 1, 2022
22 and from July 1, 2023 through December 31, 2025, the tax shall
23 also be imposed at the rate of 1% on food for human consumption
24 that is to be consumed off the premises where it is sold (other
25 than alcoholic beverages, food consisting of or infused with
26 adult use cannabis, soft drinks, and food that has been

1 prepared for immediate consumption and is not otherwise
2 included in this paragraph).

3 Beginning on July 1, 2022 and until July 1, 2023, the tax
4 shall be imposed at the rate of 0% on food prepared for
5 immediate consumption and transferred incident to a sale of
6 service subject to this Act or the Service Occupation Tax Act
7 by an entity licensed under the Hospital Licensing Act, the
8 Nursing Home Care Act, the Assisted Living and Shared Housing
9 Act, the ID/DD Community Care Act, the MC/DD Act, the
10 Specialized Mental Health Rehabilitation Act of 2013, or the
11 Child Care Act of 1969, or an entity that holds a permit issued
12 pursuant to the Life Care Facilities Act. Beginning on July 1,
13 2022 and until July 1, 2023, the tax shall also be imposed at
14 the rate of 0% on food for human consumption that is to be
15 consumed off the premises where it is sold (other than
16 alcoholic beverages, food consisting of or infused with adult
17 use cannabis, soft drinks, and food that has been prepared for
18 immediate consumption and is not otherwise included in this
19 paragraph).

20 On and ~~an~~ after January 1, 2026, food prepared for
21 immediate consumption and transferred incident to a sale of
22 service subject to this Act or the Service Occupation Tax Act
23 by an entity licensed under the Hospital Licensing Act, the
24 Nursing Home Care Act, the Assisted Living and Shared Housing
25 Act, the ID/DD Community Care Act, the MC/DD Act, the
26 Specialized Mental Health Rehabilitation Act of 2013, or the

1 Child Care Act of 1969, or by an entity that holds a permit
2 issued pursuant to the Life Care Facilities Act is exempt from
3 the tax under this Act. On and after January 1, 2026, food for
4 human consumption that is to be consumed off the premises
5 where it is sold (other than alcoholic beverages, food
6 consisting of or infused with adult use cannabis, soft drinks,
7 candy, and food that has been prepared for immediate
8 consumption and is not otherwise included in this paragraph)
9 is exempt from the tax under this Act.

10 The tax shall be imposed at the rate of 1% on prescription
11 and nonprescription medicines, drugs, medical appliances,
12 products classified as Class III medical devices by the United
13 States Food and Drug Administration that are used for cancer
14 treatment pursuant to a prescription, as well as any
15 accessories and components related to those devices,
16 modifications to a motor vehicle for the purpose of rendering
17 it usable by a person with a disability, and insulin, blood
18 sugar testing materials, syringes, and needles used by human
19 diabetics. For the purposes of this Section, until September
20 1, 2009: the term "soft drinks" means any complete, finished,
21 ready-to-use, non-alcoholic drink, whether carbonated or not,
22 including, but not limited to, soda water, cola, fruit juice,
23 vegetable juice, carbonated water, and all other preparations
24 commonly known as soft drinks of whatever kind or description
25 that are contained in any closed or sealed bottle, can,
26 carton, or container, regardless of size; but "soft drinks"

1 does not include coffee, tea, non-carbonated water, infant
2 formula, milk or milk products as defined in the Grade A
3 Pasteurized Milk and Milk Products Act, or drinks containing
4 50% or more natural fruit or vegetable juice.

5 Notwithstanding any other provisions of this Act,
6 beginning September 1, 2009, "soft drinks" means non-alcoholic
7 beverages that contain natural or artificial sweeteners. "Soft
8 drinks" does not include beverages that contain milk or milk
9 products, soy, rice or similar milk substitutes, or greater
10 than 50% of vegetable or fruit juice by volume.

11 Until August 1, 2009, and notwithstanding any other
12 provisions of this Act, "food for human consumption that is to
13 be consumed off the premises where it is sold" includes all
14 food sold through a vending machine, except soft drinks and
15 food products that are dispensed hot from a vending machine,
16 regardless of the location of the vending machine. Beginning
17 August 1, 2009, and notwithstanding any other provisions of
18 this Act, "food for human consumption that is to be consumed
19 off the premises where it is sold" includes all food sold
20 through a vending machine, except soft drinks, candy, and food
21 products that are dispensed hot from a vending machine,
22 regardless of the location of the vending machine.

23 Notwithstanding any other provisions of this Act,
24 beginning September 1, 2009, "food for human consumption that
25 is to be consumed off the premises where it is sold" does not
26 include candy. For purposes of this Section, "candy" means a

1 preparation of sugar, honey, or other natural or artificial
2 sweeteners in combination with chocolate, fruits, nuts or
3 other ingredients or flavorings in the form of bars, drops, or
4 pieces. "Candy" does not include any preparation that contains
5 flour or requires refrigeration.

6 Notwithstanding any other provisions of this Act,
7 beginning September 1, 2009, "nonprescription medicines and
8 drugs" does not include grooming and hygiene products. For
9 purposes of this Section, "grooming and hygiene products"
10 includes, but is not limited to, soaps and cleaning solutions,
11 shampoo, toothpaste, mouthwash, antiperspirants, and sun tan
12 lotions and screens, unless those products are available by
13 prescription only, regardless of whether the products meet the
14 definition of "over-the-counter-drugs". For the purposes of
15 this paragraph, "over-the-counter-drug" means a drug for human
16 use that contains a label that identifies the product as a drug
17 as required by 21 CFR 201.66. The "over-the-counter-drug"
18 label includes:

19 (A) a "Drug Facts" panel; or

20 (B) a statement of the "active ingredient(s)" with a
21 list of those ingredients contained in the compound,
22 substance or preparation.

23 Beginning on January 1, 2014 (the effective date of Public
24 Act 98-122), "prescription and nonprescription medicines and
25 drugs" includes medical cannabis purchased from a registered
26 dispensing organization under the Compassionate Use of Medical

1 Cannabis Program Act.

2 As used in this Section, "adult use cannabis" means
3 cannabis subject to tax under the Cannabis Cultivation
4 Privilege Tax Law and the Cannabis Purchaser Excise Tax Law
5 and does not include cannabis subject to tax under the
6 Compassionate Use of Medical Cannabis Program Act.

7 If the property that is acquired from a serviceman is
8 acquired outside Illinois and used outside Illinois before
9 being brought to Illinois for use here and is taxable under
10 this Act, the "selling price" on which the tax is computed
11 shall be reduced by an amount that represents a reasonable
12 allowance for depreciation for the period of prior
13 out-of-state use. No depreciation is allowed in cases where
14 the tax under this Act is imposed on lease receipts.

15 (Source: P.A. 102-4, eff. 4-27-21; 102-16, eff. 6-17-21;
16 102-700, Article 20, Section 20-10, eff. 4-19-22; 102-700,
17 Article 60, Section 60-20, eff. 4-19-22; 103-9, eff. 6-7-23;
18 103-154, eff. 6-30-23; 103-592, eff. 1-1-25; 103-781, eff.
19 8-5-24; revised 11-26-24.)

20 (35 ILCS 110/9)

21 Sec. 9. Each serviceman required or authorized to collect
22 the tax herein imposed shall pay to the Department the amount
23 of such tax (except as otherwise provided) at the time when he
24 is required to file his return for the period during which such
25 tax was collected, less a discount of 2.1% prior to January 1,

1 1990 and 1.75% on and after January 1, 1990, or \$5 per calendar
2 year, whichever is greater, which is allowed to reimburse the
3 serviceman for expenses incurred in collecting the tax,
4 keeping records, preparing and filing returns, remitting the
5 tax, and supplying data to the Department on request.
6 Beginning with returns due on or after January 1, 2025, the
7 vendor's discount allowed in this Section, the Retailers'
8 Occupation Tax Act, the Service Occupation Tax Act, and the
9 Use Tax Act, including any local tax administered by the
10 Department and reported on the same return, shall not exceed
11 \$1,000 per month in the aggregate. When determining the
12 discount allowed under this Section, servicemen shall include
13 the amount of tax that would have been due at the 1% rate but
14 for the 0% rate imposed under Public Act 102-700 ~~this~~
15 ~~amendatory Act of the 102nd General Assembly~~. The discount
16 under this Section is not allowed for the 1.25% portion of
17 taxes paid on aviation fuel that is subject to the revenue use
18 requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133. The
19 discount allowed under this Section is allowed only for
20 returns that are filed in the manner required by this Act. The
21 Department may disallow the discount for servicemen whose
22 certificate of registration is revoked at the time the return
23 is filed, but only if the Department's decision to revoke the
24 certificate of registration has become final. A serviceman
25 need not remit that part of any tax collected by him to the
26 extent that he is required to pay and does pay the tax imposed

1 by the Service Occupation Tax Act with respect to his sale of
2 service involving the incidental transfer by him of the same
3 property.

4 Except as provided hereinafter in this Section, on or
5 before the twentieth day of each calendar month, such
6 serviceman shall file a return for the preceding calendar
7 month in accordance with reasonable Rules and Regulations to
8 be promulgated by the Department. Such return shall be filed
9 on a form prescribed by the Department and shall contain such
10 information as the Department may reasonably require. The
11 return shall include the gross receipts which were received
12 during the preceding calendar month or quarter on the
13 following items upon which tax would have been due but for the
14 0% rate imposed under Public Act 102-700 ~~this amendatory Act~~
15 ~~of the 102nd General Assembly~~: (i) food for human consumption
16 that is to be consumed off the premises where it is sold (other
17 than alcoholic beverages, food consisting of or infused with
18 adult use cannabis, soft drinks, and food that has been
19 prepared for immediate consumption); and (ii) food prepared
20 for immediate consumption and transferred incident to a sale
21 of service subject to this Act or the Service Occupation Tax
22 Act by an entity licensed under the Hospital Licensing Act,
23 the Nursing Home Care Act, the Assisted Living and Shared
24 Housing Act, the ID/DD Community Care Act, the MC/DD Act, the
25 Specialized Mental Health Rehabilitation Act of 2013, or the
26 Child Care Act of 1969, or an entity that holds a permit issued

1 pursuant to the Life Care Facilities Act. The return shall
2 also include the amount of tax that would have been due on the
3 items listed in the previous sentence but for the 0% rate
4 imposed under Public Act 102-700 ~~this amendatory Act of the~~
5 ~~102nd General Assembly.~~

6 In the case of leases, except as otherwise provided in
7 this Act, the lessor, in collecting the tax, may collect for
8 each tax return period, only the tax applicable to that part of
9 the selling price actually received during such tax return
10 period.

11 On and after January 1, 2018, with respect to servicemen
12 whose annual gross receipts average \$20,000 or more, all
13 returns required to be filed pursuant to this Act shall be
14 filed electronically. Servicemen who demonstrate that they do
15 not have access to the Internet or demonstrate hardship in
16 filing electronically may petition the Department to waive the
17 electronic filing requirement.

18 The Department may require returns to be filed on a
19 quarterly basis. If so required, a return for each calendar
20 quarter shall be filed on or before the twentieth day of the
21 calendar month following the end of such calendar quarter. The
22 taxpayer shall also file a return with the Department for each
23 of the first two months of each calendar quarter, on or before
24 the twentieth day of the following calendar month, stating:

25 1. The name of the seller;

26 2. The address of the principal place of business from

1 which he engages in business as a serviceman in this
2 State;

3 3. The total amount of taxable receipts received by
4 him during the preceding calendar month, including
5 receipts from charge and time sales, but less all
6 deductions allowed by law;

7 4. The amount of credit provided in Section 2d of this
8 Act;

9 5. The amount of tax due;

10 5-5. The signature of the taxpayer; and

11 6. Such other reasonable information as the Department
12 may require.

13 Each serviceman required or authorized to collect the tax
14 imposed by this Act on aviation fuel transferred as an
15 incident of a sale of service in this State during the
16 preceding calendar month shall, instead of reporting and
17 paying tax on aviation fuel as otherwise required by this
18 Section, report and pay such tax on a separate aviation fuel
19 tax return. The requirements related to the return shall be as
20 otherwise provided in this Section. Notwithstanding any other
21 provisions of this Act to the contrary, servicemen collecting
22 tax on aviation fuel shall file all aviation fuel tax returns
23 and shall make all aviation fuel tax payments by electronic
24 means in the manner and form required by the Department. For
25 purposes of this Section, "aviation fuel" means jet fuel and
26 aviation gasoline.

1 If a taxpayer fails to sign a return within 30 days after
2 the proper notice and demand for signature by the Department,
3 the return shall be considered valid and any amount shown to be
4 due on the return shall be deemed assessed.

5 Notwithstanding any other provision of this Act to the
6 contrary, servicemen subject to tax on cannabis shall file all
7 cannabis tax returns and shall make all cannabis tax payments
8 by electronic means in the manner and form required by the
9 Department.

10 Beginning October 1, 1993, a taxpayer who has an average
11 monthly tax liability of \$150,000 or more shall make all
12 payments required by rules of the Department by electronic
13 funds transfer. Beginning October 1, 1994, a taxpayer who has
14 an average monthly tax liability of \$100,000 or more shall
15 make all payments required by rules of the Department by
16 electronic funds transfer. Beginning October 1, 1995, a
17 taxpayer who has an average monthly tax liability of \$50,000
18 or more shall make all payments required by rules of the
19 Department by electronic funds transfer. Beginning October 1,
20 2000, a taxpayer who has an annual tax liability of \$200,000 or
21 more shall make all payments required by rules of the
22 Department by electronic funds transfer. The term "annual tax
23 liability" shall be the sum of the taxpayer's liabilities
24 under this Act, and under all other State and local occupation
25 and use tax laws administered by the Department, for the
26 immediately preceding calendar year. The term "average monthly

1 tax liability" means the sum of the taxpayer's liabilities
2 under this Act, and under all other State and local occupation
3 and use tax laws administered by the Department, for the
4 immediately preceding calendar year divided by 12. Beginning
5 on October 1, 2002, a taxpayer who has a tax liability in the
6 amount set forth in subsection (b) of Section 2505-210 of the
7 Department of Revenue Law shall make all payments required by
8 rules of the Department by electronic funds transfer.

9 Before August 1 of each year beginning in 1993, the
10 Department shall notify all taxpayers required to make
11 payments by electronic funds transfer. All taxpayers required
12 to make payments by electronic funds transfer shall make those
13 payments for a minimum of one year beginning on October 1.

14 Any taxpayer not required to make payments by electronic
15 funds transfer may make payments by electronic funds transfer
16 with the permission of the Department.

17 All taxpayers required to make payment by electronic funds
18 transfer and any taxpayers authorized to voluntarily make
19 payments by electronic funds transfer shall make those
20 payments in the manner authorized by the Department.

21 The Department shall adopt such rules as are necessary to
22 effectuate a program of electronic funds transfer and the
23 requirements of this Section.

24 If the serviceman is otherwise required to file a monthly
25 return and if the serviceman's average monthly tax liability
26 to the Department does not exceed \$200, the Department may

1 authorize his returns to be filed on a quarter annual basis,
2 with the return for January, February, and March of a given
3 year being due by April 20 of such year; with the return for
4 April, May, and June of a given year being due by July 20 of
5 such year; with the return for July, August, and September of a
6 given year being due by October 20 of such year, and with the
7 return for October, November, and December of a given year
8 being due by January 20 of the following year.

9 If the serviceman is otherwise required to file a monthly
10 or quarterly return and if the serviceman's average monthly
11 tax liability to the Department does not exceed \$50, the
12 Department may authorize his returns to be filed on an annual
13 basis, with the return for a given year being due by January 20
14 of the following year.

15 Such quarter annual and annual returns, as to form and
16 substance, shall be subject to the same requirements as
17 monthly returns.

18 Notwithstanding any other provision in this Act concerning
19 the time within which a serviceman may file his return, in the
20 case of any serviceman who ceases to engage in a kind of
21 business which makes him responsible for filing returns under
22 this Act, such serviceman shall file a final return under this
23 Act with the Department not more than one ± month after
24 discontinuing such business.

25 Where a serviceman collects the tax with respect to the
26 selling price of property which he sells and the purchaser

1 thereafter returns such property and the serviceman refunds
2 the selling price thereof to the purchaser, such serviceman
3 shall also refund, to the purchaser, the tax so collected from
4 the purchaser. When filing his return for the period in which
5 he refunds such tax to the purchaser, the serviceman may
6 deduct the amount of the tax so refunded by him to the
7 purchaser from any other Service Use Tax, Service Occupation
8 Tax, retailers' occupation tax, or use tax which such
9 serviceman may be required to pay or remit to the Department,
10 as shown by such return, provided that the amount of the tax to
11 be deducted shall previously have been remitted to the
12 Department by such serviceman. If the serviceman shall not
13 previously have remitted the amount of such tax to the
14 Department, he shall be entitled to no deduction hereunder
15 upon refunding such tax to the purchaser.

16 Any serviceman filing a return hereunder shall also
17 include the total tax upon the selling price of tangible
18 personal property purchased for use by him as an incident to a
19 sale of service, and such serviceman shall remit the amount of
20 such tax to the Department when filing such return.

21 If experience indicates such action to be practicable, the
22 Department may prescribe and furnish a combination or joint
23 return which will enable servicemen, who are required to file
24 returns hereunder and also under the Service Occupation Tax
25 Act, to furnish all the return information required by both
26 Acts on the one form.

1 Where the serviceman has more than one business registered
2 with the Department under separate registration hereunder,
3 such serviceman shall not file each return that is due as a
4 single return covering all such registered businesses, but
5 shall file separate returns for each such registered business.

6 Beginning January 1, 1990, each month the Department shall
7 pay into the State and Local Tax Reform Fund, a special fund in
8 the State ~~treasury~~ Treasury, the net revenue realized for the
9 preceding month from the 1% tax imposed under this Act.

10 Beginning January 1, 1990, each month the Department shall
11 pay into the State and Local Sales Tax Reform Fund 20% of the
12 net revenue realized for the preceding month from the 6.25%
13 general rate on transfers of tangible personal property, other
14 than (i) tangible personal property which is purchased outside
15 Illinois at retail from a retailer and which is titled or
16 registered by an agency of this State's government and (ii)
17 aviation fuel sold on or after December 1, 2019. This
18 exception for aviation fuel only applies for so long as the
19 revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C.
20 47133 are binding on the State.

21 For aviation fuel sold on or after December 1, 2019, each
22 month the Department shall pay into the State Aviation Program
23 Fund 20% of the net revenue realized for the preceding month
24 from the 6.25% general rate on the selling price of aviation
25 fuel, less an amount estimated by the Department to be
26 required for refunds of the 20% portion of the tax on aviation

1 fuel under this Act, which amount shall be deposited into the
2 Aviation Fuel Sales Tax Refund Fund. The Department shall only
3 pay moneys into the State Aviation Program Fund and the
4 Aviation Fuel Sales Tax Refund Fund under this Act for so long
5 as the revenue use requirements of 49 U.S.C. 47107(b) and 49
6 U.S.C. 47133 are binding on the State.

7 Beginning August 1, 2000, each month the Department shall
8 pay into the State and Local Sales Tax Reform Fund 100% of the
9 net revenue realized for the preceding month from the 1.25%
10 rate on the selling price of motor fuel and gasohol.

11 Beginning February 1, 2027, each month the Department
12 shall pay into the State and Local Sales Tax Reform Fund 100%
13 of the net revenue realized for the preceding month from the
14 1.25% rate on the selling price of clothing with a selling
15 price of less than \$100.

16 Beginning October 1, 2009, each month the Department shall
17 pay into the Capital Projects Fund an amount that is equal to
18 an amount estimated by the Department to represent 80% of the
19 net revenue realized for the preceding month from the sale of
20 candy, grooming and hygiene products, and soft drinks that had
21 been taxed at a rate of 1% prior to September 1, 2009 but that
22 are now taxed at 6.25%.

23 Beginning July 1, 2013, each month the Department shall
24 pay into the Underground Storage Tank Fund from the proceeds
25 collected under this Act, the Use Tax Act, the Service
26 Occupation Tax Act, and the Retailers' Occupation Tax Act an

1 amount equal to the average monthly deficit in the Underground
2 Storage Tank Fund during the prior year, as certified annually
3 by the Illinois Environmental Protection Agency, but the total
4 payment into the Underground Storage Tank Fund under this Act,
5 the Use Tax Act, the Service Occupation Tax Act, and the
6 Retailers' Occupation Tax Act shall not exceed \$18,000,000 in
7 any State fiscal year. As used in this paragraph, the "average
8 monthly deficit" shall be equal to the difference between the
9 average monthly claims for payment by the fund and the average
10 monthly revenues deposited into the fund, excluding payments
11 made pursuant to this paragraph.

12 Beginning July 1, 2015, of the remainder of the moneys
13 received by the Department under the Use Tax Act, this Act, the
14 Service Occupation Tax Act, and the Retailers' Occupation Tax
15 Act, each month the Department shall deposit \$500,000 into the
16 State Crime Laboratory Fund.

17 Of the remainder of the moneys received by the Department
18 pursuant to this Act, (a) 1.75% thereof shall be paid into the
19 Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on
20 and after July 1, 1989, 3.8% thereof shall be paid into the
21 Build Illinois Fund; provided, however, that if in any fiscal
22 year the sum of (1) the aggregate of 2.2% or 3.8%, as the case
23 may be, of the moneys received by the Department and required
24 to be paid into the Build Illinois Fund pursuant to Section 3
25 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax
26 Act, Section 9 of the Service Use Tax Act, and Section 9 of the

1 Service Occupation Tax Act, such Acts being hereinafter called
2 the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case
3 may be, of moneys being hereinafter called the "Tax Act
4 Amount", and (2) the amount transferred to the Build Illinois
5 Fund from the State and Local Sales Tax Reform Fund shall be
6 less than the Annual Specified Amount (as defined in Section 3
7 of the Retailers' Occupation Tax Act), an amount equal to the
8 difference shall be immediately paid into the Build Illinois
9 Fund from other moneys received by the Department pursuant to
10 the Tax Acts; and further provided, that if on the last
11 business day of any month the sum of (1) the Tax Act Amount
12 required to be deposited into the Build Illinois Bond Account
13 in the Build Illinois Fund during such month and (2) the amount
14 transferred during such month to the Build Illinois Fund from
15 the State and Local Sales Tax Reform Fund shall have been less
16 than 1/12 of the Annual Specified Amount, an amount equal to
17 the difference shall be immediately paid into the Build
18 Illinois Fund from other moneys received by the Department
19 pursuant to the Tax Acts; and, further provided, that in no
20 event shall the payments required under the preceding proviso
21 result in aggregate payments into the Build Illinois Fund
22 pursuant to this clause (b) for any fiscal year in excess of
23 the greater of (i) the Tax Act Amount or (ii) the Annual
24 Specified Amount for such fiscal year; and, further provided,
25 that the amounts payable into the Build Illinois Fund under
26 this clause (b) shall be payable only until such time as the

1 aggregate amount on deposit under each trust indenture
2 securing Bonds issued and outstanding pursuant to the Build
3 Illinois Bond Act is sufficient, taking into account any
4 future investment income, to fully provide, in accordance with
5 such indenture, for the defeasance of or the payment of the
6 principal of, premium, if any, and interest on the Bonds
7 secured by such indenture and on any Bonds expected to be
8 issued thereafter and all fees and costs payable with respect
9 thereto, all as certified by the Director of the Bureau of the
10 Budget (now Governor's Office of Management and Budget). If on
11 the last business day of any month in which Bonds are
12 outstanding pursuant to the Build Illinois Bond Act, the
13 aggregate of the moneys deposited in the Build Illinois Bond
14 Account in the Build Illinois Fund in such month shall be less
15 than the amount required to be transferred in such month from
16 the Build Illinois Bond Account to the Build Illinois Bond
17 Retirement and Interest Fund pursuant to Section 13 of the
18 Build Illinois Bond Act, an amount equal to such deficiency
19 shall be immediately paid from other moneys received by the
20 Department pursuant to the Tax Acts to the Build Illinois
21 Fund; provided, however, that any amounts paid to the Build
22 Illinois Fund in any fiscal year pursuant to this sentence
23 shall be deemed to constitute payments pursuant to clause (b)
24 of the preceding sentence and shall reduce the amount
25 otherwise payable for such fiscal year pursuant to clause (b)
26 of the preceding sentence. The moneys received by the

1 Department pursuant to this Act and required to be deposited
2 into the Build Illinois Fund are subject to the pledge, claim
3 and charge set forth in Section 12 of the Build Illinois Bond
4 Act.

5 Subject to payment of amounts into the Build Illinois Fund
6 as provided in the preceding paragraph or in any amendment
7 thereto hereafter enacted, the following specified monthly
8 installment of the amount requested in the certificate of the
9 Chairman of the Metropolitan Pier and Exposition Authority
10 provided under Section 8.25f of the State Finance Act, but not
11 in excess of the sums designated as "Total Deposit", shall be
12 deposited in the aggregate from collections under Section 9 of
13 the Use Tax Act, Section 9 of the Service Use Tax Act, Section
14 9 of the Service Occupation Tax Act, and Section 3 of the
15 Retailers' Occupation Tax Act into the McCormick Place
16 Expansion Project Fund in the specified fiscal years.

17	Fiscal Year	Total Deposit
18	1993	\$0
19	1994	53,000,000
20	1995	58,000,000
21	1996	61,000,000
22	1997	64,000,000
23	1998	68,000,000
24	1999	71,000,000
25	2000	75,000,000

1	2001	80,000,000
2	2002	93,000,000
3	2003	99,000,000
4	2004	103,000,000
5	2005	108,000,000
6	2006	113,000,000
7	2007	119,000,000
8	2008	126,000,000
9	2009	132,000,000
10	2010	139,000,000
11	2011	146,000,000
12	2012	153,000,000
13	2013	161,000,000
14	2014	170,000,000
15	2015	179,000,000
16	2016	189,000,000
17	2017	199,000,000
18	2018	210,000,000
19	2019	221,000,000
20	2020	233,000,000
21	2021	300,000,000
22	2022	300,000,000
23	2023	300,000,000
24	2024	300,000,000
25	2025	300,000,000
26	2026	300,000,000

1	2027	375,000,000
2	2028	375,000,000
3	2029	375,000,000
4	2030	375,000,000
5	2031	375,000,000
6	2032	375,000,000
7	2033	375,000,000
8	2034	375,000,000
9	2035	375,000,000
10	2036	450,000,000

11 and

12 each fiscal year
13 thereafter that bonds
14 are outstanding under
15 Section 13.2 of the
16 Metropolitan Pier and
17 Exposition Authority Act,
18 but not after fiscal year 2060.

19 Beginning July 20, 1993 and in each month of each fiscal
20 year thereafter, one-eighth of the amount requested in the
21 certificate of the Chairman of the Metropolitan Pier and
22 Exposition Authority for that fiscal year, less the amount
23 deposited into the McCormick Place Expansion Project Fund by
24 the State Treasurer in the respective month under subsection
25 (g) of Section 13 of the Metropolitan Pier and Exposition
26 Authority Act, plus cumulative deficiencies in the deposits

1 required under this Section for previous months and years,
2 shall be deposited into the McCormick Place Expansion Project
3 Fund, until the full amount requested for the fiscal year, but
4 not in excess of the amount specified above as "Total
5 Deposit", has been deposited.

6 Subject to payment of amounts into the Capital Projects
7 Fund, the Clean Air Act Permit Fund, the Build Illinois Fund,
8 and the McCormick Place Expansion Project Fund pursuant to the
9 preceding paragraphs or in any amendments thereto hereafter
10 enacted, for aviation fuel sold on or after December 1, 2019,
11 the Department shall each month deposit into the Aviation Fuel
12 Sales Tax Refund Fund an amount estimated by the Department to
13 be required for refunds of the 80% portion of the tax on
14 aviation fuel under this Act. The Department shall only
15 deposit moneys into the Aviation Fuel Sales Tax Refund Fund
16 under this paragraph for so long as the revenue use
17 requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are
18 binding on the State.

19 Subject to payment of amounts into the Build Illinois Fund
20 and the McCormick Place Expansion Project Fund pursuant to the
21 preceding paragraphs or in any amendments thereto hereafter
22 enacted, beginning July 1, 1993 and ending on September 30,
23 2013, the Department shall each month pay into the Illinois
24 Tax Increment Fund 0.27% of 80% of the net revenue realized for
25 the preceding month from the 6.25% general rate on the selling
26 price of tangible personal property.

1 Subject to payment of amounts into the Build Illinois
2 Fund, the McCormick Place Expansion Project Fund, the Illinois
3 Tax Increment Fund, pursuant to the preceding paragraphs or in
4 any amendments to this Section hereafter enacted, beginning on
5 the first day of the first calendar month to occur on or after
6 August 26, 2014 (the effective date of Public Act 98-1098),
7 each month, from the collections made under Section 9 of the
8 Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of
9 the Service Occupation Tax Act, and Section 3 of the
10 Retailers' Occupation Tax Act, the Department shall pay into
11 the Tax Compliance and Administration Fund, to be used,
12 subject to appropriation, to fund additional auditors and
13 compliance personnel at the Department of Revenue, an amount
14 equal to 1/12 of 5% of 80% of the cash receipts collected
15 during the preceding fiscal year by the Audit Bureau of the
16 Department under the Use Tax Act, the Service Use Tax Act, the
17 Service Occupation Tax Act, the Retailers' Occupation Tax Act,
18 and associated local occupation and use taxes administered by
19 the Department.

20 Subject to payments of amounts into the Build Illinois
21 Fund, the McCormick Place Expansion Project Fund, the Illinois
22 Tax Increment Fund, and the Tax Compliance and Administration
23 Fund as provided in this Section, beginning on July 1, 2018 the
24 Department shall pay each month into the Downstate Public
25 Transportation Fund the moneys required to be so paid under
26 Section 2-3 of the Downstate Public Transportation Act.

1 Subject to successful execution and delivery of a
 2 public-private agreement between the public agency and private
 3 entity and completion of the civic build, beginning on July 1,
 4 2023, of the remainder of the moneys received by the
 5 Department under the Use Tax Act, the Service Use Tax Act, the
 6 Service Occupation Tax Act, and this Act, the Department shall
 7 deposit the following specified deposits in the aggregate from
 8 collections under the Use Tax Act, the Service Use Tax Act, the
 9 Service Occupation Tax Act, and the Retailers' Occupation Tax
 10 Act, as required under Section 8.25g of the State Finance Act
 11 for distribution consistent with the Public-Private
 12 Partnership for Civic and Transit Infrastructure Project Act.
 13 The moneys received by the Department pursuant to this Act and
 14 required to be deposited into the Civic and Transit
 15 Infrastructure Fund are subject to the pledge, claim, and
 16 charge set forth in Section 25-55 of the Public-Private
 17 Partnership for Civic and Transit Infrastructure Project Act.
 18 As used in this paragraph, "civic build", "private entity",
 19 "public-private agreement", and "public agency" have the
 20 meanings provided in Section 25-10 of the Public-Private
 21 Partnership for Civic and Transit Infrastructure Project Act.

	Fiscal Year.....	Total Deposit
23	2024	\$200,000,000
24	2025	\$206,000,000
25	2026	\$212,200,000
26	2027	\$218,500,000

1	2028	.....	\$225,100,000
2	2029	.....	\$288,700,000
3	2030	.....	\$298,900,000
4	2031	.....	\$309,300,000
5	2032	.....	\$320,100,000
6	2033	.....	\$331,200,000
7	2034	.....	\$341,200,000
8	2035	.....	\$351,400,000
9	2036	.....	\$361,900,000
10	2037	.....	\$372,800,000
11	2038	.....	\$384,000,000
12	2039	.....	\$395,500,000
13	2040	.....	\$407,400,000
14	2041	.....	\$419,600,000
15	2042	.....	\$432,200,000
16	2043	.....	\$445,100,000

17 Beginning July 1, 2021 and until July 1, 2022, subject to
18 the payment of amounts into the State and Local Sales Tax
19 Reform Fund, the Build Illinois Fund, the McCormick Place
20 Expansion Project Fund, the Energy Infrastructure Fund, and
21 the Tax Compliance and Administration Fund as provided in this
22 Section, the Department shall pay each month into the Road
23 Fund the amount estimated to represent 16% of the net revenue
24 realized from the taxes imposed on motor fuel and gasohol.
25 Beginning July 1, 2022 and until July 1, 2023, subject to the
26 payment of amounts into the State and Local Sales Tax Reform

1 Fund, the Build Illinois Fund, the McCormick Place Expansion
2 Project Fund, the Illinois Tax Increment Fund, and the Tax
3 Compliance and Administration Fund as provided in this
4 Section, the Department shall pay each month into the Road
5 Fund the amount estimated to represent 32% of the net revenue
6 realized from the taxes imposed on motor fuel and gasohol.
7 Beginning July 1, 2023 and until July 1, 2024, subject to the
8 payment of amounts into the State and Local Sales Tax Reform
9 Fund, the Build Illinois Fund, the McCormick Place Expansion
10 Project Fund, the Illinois Tax Increment Fund, and the Tax
11 Compliance and Administration Fund as provided in this
12 Section, the Department shall pay each month into the Road
13 Fund the amount estimated to represent 48% of the net revenue
14 realized from the taxes imposed on motor fuel and gasohol.
15 Beginning July 1, 2024 and until July 1, 2025, subject to the
16 payment of amounts into the State and Local Sales Tax Reform
17 Fund, the Build Illinois Fund, the McCormick Place Expansion
18 Project Fund, the Illinois Tax Increment Fund, and the Tax
19 Compliance and Administration Fund as provided in this
20 Section, the Department shall pay each month into the Road
21 Fund the amount estimated to represent 64% of the net revenue
22 realized from the taxes imposed on motor fuel and gasohol.
23 Beginning on July 1, 2025, subject to the payment of amounts
24 into the State and Local Sales Tax Reform Fund, the Build
25 Illinois Fund, the McCormick Place Expansion Project Fund, the
26 Illinois Tax Increment Fund, and the Tax Compliance and

1 Administration Fund as provided in this Section, the
2 Department shall pay each month into the Road Fund the amount
3 estimated to represent 80% of the net revenue realized from
4 the taxes imposed on motor fuel and gasohol. As used in this
5 paragraph "motor fuel" has the meaning given to that term in
6 Section 1.1 of the Motor Fuel Tax Law, and "gasohol" has the
7 meaning given to that term in Section 3-40 of the Use Tax Act.

8 Of the remainder of the moneys received by the Department
9 pursuant to this Act, 75% thereof shall be paid into the
10 General Revenue Fund of the State treasury ~~Treasury~~ and 25%
11 shall be reserved in a special account and used only for the
12 transfer to the Common School Fund as part of the monthly
13 transfer from the General Revenue Fund in accordance with
14 Section 8a of the State Finance Act.

15 As soon as possible after the first day of each month, upon
16 certification of the Department of Revenue, the Comptroller
17 shall order transferred and the Treasurer shall transfer from
18 the General Revenue Fund to the Motor Fuel Tax Fund an amount
19 equal to 1.7% of 80% of the net revenue realized under this Act
20 for the second preceding month. Beginning April 1, 2000, this
21 transfer is no longer required and shall not be made.

22 Net revenue realized for a month shall be the revenue
23 collected by the State pursuant to this Act, less the amount
24 paid out during that month as refunds to taxpayers for
25 overpayment of liability.

26 (Source: P.A. 102-700, eff. 4-19-22; 103-363, eff. 7-28-23;

1 103-592, Article 75, Section 75-10, eff. 1-1-25; 103-592,
2 Article 110, Section 110-10, eff. 6-7-24; revised 11-26-24.)

3 Section 15. The Service Occupation Tax Act is amended by
4 changing Sections 3-10 and 9 as follows:

5 (35 ILCS 115/3-10) (from Ch. 120, par. 439.103-10)

6 Sec. 3-10. Rate of tax. Unless otherwise provided in this
7 Section, the tax imposed by this Act is at the rate of 6.25% of
8 the "selling price", as defined in Section 2 of the Service Use
9 Tax Act, of the tangible personal property, including, on and
10 after January 1, 2025, tangible personal property transferred
11 by lease. For the purpose of computing this tax, in no event
12 shall the "selling price" be less than the cost price to the
13 serviceman of the tangible personal property transferred. The
14 selling price of each item of tangible personal property
15 transferred as an incident of a sale of service may be shown as
16 a distinct and separate item on the serviceman's billing to
17 the service customer. If the selling price is not so shown, the
18 selling price of the tangible personal property is deemed to
19 be 50% of the serviceman's entire billing to the service
20 customer. When, however, a serviceman contracts to design,
21 develop, and produce special order machinery or equipment, the
22 tax imposed by this Act shall be based on the serviceman's cost
23 price of the tangible personal property transferred incident
24 to the completion of the contract.

1 Beginning on July 1, 2000 and through December 31, 2000,
2 with respect to motor fuel, as defined in Section 1.1 of the
3 Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of
4 the Use Tax Act, the tax is imposed at the rate of 1.25%.

5 With respect to gasohol, as defined in the Use Tax Act, the
6 tax imposed by this Act shall apply to (i) 70% of the cost
7 price of property transferred as an incident to the sale of
8 service on or after January 1, 1990, and before July 1, 2003,
9 (ii) 80% of the selling price of property transferred as an
10 incident to the sale of service on or after July 1, 2003 and on
11 or before July 1, 2017, (iii) 100% of the selling price of
12 property transferred as an incident to the sale of service
13 after July 1, 2017 and prior to January 1, 2024, (iv) 90% of
14 the selling price of property transferred as an incident to
15 the sale of service on or after January 1, 2024 and on or
16 before December 31, 2028, and (v) 100% of the selling price of
17 property transferred as an incident to the sale of service
18 after December 31, 2028. If, at any time, however, the tax
19 under this Act on sales of gasohol, as defined in the Use Tax
20 Act, is imposed at the rate of 1.25%, then the tax imposed by
21 this Act applies to 100% of the proceeds of sales of gasohol
22 made during that time.

23 With respect to mid-range ethanol blends, as defined in
24 Section 3-44.3 of the Use Tax Act, the tax imposed by this Act
25 applies to (i) 80% of the selling price of property
26 transferred as an incident to the sale of service on or after

1 January 1, 2024 and on or before December 31, 2028 and (ii)
2 100% of the selling price of property transferred as an
3 incident to the sale of service after December 31, 2028. If, at
4 any time, however, the tax under this Act on sales of mid-range
5 ethanol blends is imposed at the rate of 1.25%, then the tax
6 imposed by this Act applies to 100% of the selling price of
7 mid-range ethanol blends transferred as an incident to the
8 sale of service during that time.

9 With respect to majority blended ethanol fuel, as defined
10 in the Use Tax Act, the tax imposed by this Act does not apply
11 to the selling price of property transferred as an incident to
12 the sale of service on or after July 1, 2003 and on or before
13 December 31, 2028 but applies to 100% of the selling price
14 thereafter.

15 With respect to biodiesel blends, as defined in the Use
16 Tax Act, with no less than 1% and no more than 10% biodiesel,
17 the tax imposed by this Act applies to (i) 80% of the selling
18 price of property transferred as an incident to the sale of
19 service on or after July 1, 2003 and on or before December 31,
20 2018 and (ii) 100% of the proceeds of the selling price after
21 December 31, 2018 and before January 1, 2024. On and after
22 January 1, 2024 and on or before December 31, 2030, the
23 taxation of biodiesel, renewable diesel, and biodiesel blends
24 shall be as provided in Section 3-5.1 of the Use Tax Act. If,
25 at any time, however, the tax under this Act on sales of
26 biodiesel blends, as defined in the Use Tax Act, with no less

1 than 1% and no more than 10% biodiesel is imposed at the rate
2 of 1.25%, then the tax imposed by this Act applies to 100% of
3 the proceeds of sales of biodiesel blends with no less than 1%
4 and no more than 10% biodiesel made during that time.

5 With respect to biodiesel, as defined in the Use Tax Act,
6 and biodiesel blends, as defined in the Use Tax Act, with more
7 than 10% but no more than 99% biodiesel material, the tax
8 imposed by this Act does not apply to the proceeds of the
9 selling price of property transferred as an incident to the
10 sale of service on or after July 1, 2003 and on or before
11 December 31, 2023. On and after January 1, 2024 and on or
12 before December 31, 2030, the taxation of biodiesel, renewable
13 diesel, and biodiesel blends shall be as provided in Section
14 3-5.1 of the Use Tax Act.

15 At the election of any registered serviceman made for each
16 fiscal year, sales of service in which the aggregate annual
17 cost price of tangible personal property transferred as an
18 incident to the sales of service is less than 35%, or 75% in
19 the case of servicemen transferring prescription drugs or
20 servicemen engaged in graphic arts production, of the
21 aggregate annual total gross receipts from all sales of
22 service, the tax imposed by this Act shall be based on the
23 serviceman's cost price of the tangible personal property
24 transferred incident to the sale of those services.

25 Beginning on January 1, 2027, with respect to clothing
26 with a selling price of less than \$100, the tax is imposed at

1 the rate of 1.25%. For the purpose of applying this reduced
2 rate of tax, the term "clothing" means human-worn apparel that
3 is suitable for general use. The term "clothing" includes, but
4 is not limited to: household and shop aprons; athletic
5 supporters; bathing suits and caps; belts and suspenders;
6 boots; coats and jackets; ear muffs; footlets; gloves and
7 mittens for general use; hats and caps; hosiery; insoles for
8 shoes; lab coats; neckties; overshoes; pantyhose; rainwear;
9 rubber pants; sandals; scarves; shoes and shoelaces; slippers;
10 sneakers and athletic shoes; socks and stockings; steel-toed
11 shoes; underwear; and school uniforms. Except as otherwise
12 specifically provided in this Section, "clothing" does not
13 include clothing accessories, protective equipment, or sport
14 or recreational equipment. "Clothing accessories" means, but
15 is not limited to: briefcases; cosmetics; hair notions,
16 including, but not limited to barrettes, hair bows, and hair
17 nets; handbags; handkerchiefs; jewelry; non-prescription
18 sunglasses; umbrellas; wallets; watches; and wigs and hair
19 pieces. The reduction in the rate of tax for clothing with a
20 selling price of less than \$100 is exempt from the provisions
21 of Section 3-55.

22 Until July 1, 2022 and from July 1, 2023 through December
23 31, 2025, the tax shall be imposed at the rate of 1% on food
24 prepared for immediate consumption and transferred incident to
25 a sale of service subject to this Act or the Service Use Tax
26 Act by an entity licensed under the Hospital Licensing Act,

1 the Nursing Home Care Act, the Assisted Living and Shared
2 Housing Act, the ID/DD Community Care Act, the MC/DD Act, the
3 Specialized Mental Health Rehabilitation Act of 2013, or the
4 Child Care Act of 1969, or an entity that holds a permit issued
5 pursuant to the Life Care Facilities Act. Until July 1, 2022
6 and from July 1, 2023 through December 31, 2025, the tax shall
7 also be imposed at the rate of 1% on food for human consumption
8 that is to be consumed off the premises where it is sold (other
9 than alcoholic beverages, food consisting of or infused with
10 adult use cannabis, soft drinks, and food that has been
11 prepared for immediate consumption and is not otherwise
12 included in this paragraph).

13 Beginning on July 1, 2022 and until July 1, 2023, the tax
14 shall be imposed at the rate of 0% on food prepared for
15 immediate consumption and transferred incident to a sale of
16 service subject to this Act or the Service Use Tax Act by an
17 entity licensed under the Hospital Licensing Act, the Nursing
18 Home Care Act, the Assisted Living and Shared Housing Act, the
19 ID/DD Community Care Act, the MC/DD Act, the Specialized
20 Mental Health Rehabilitation Act of 2013, or the Child Care
21 Act of 1969, or an entity that holds a permit issued pursuant
22 to the Life Care Facilities Act. Beginning July 1, 2022 and
23 until July 1, 2023, the tax shall also be imposed at the rate
24 of 0% on food for human consumption that is to be consumed off
25 the premises where it is sold (other than alcoholic beverages,
26 food consisting of or infused with adult use cannabis, soft

1 drinks, and food that has been prepared for immediate
2 consumption and is not otherwise included in this paragraph).

3 On and after January 1, 2026, food prepared for immediate
4 consumption and transferred incident to a sale of service
5 subject to this Act or the Service Use Tax Act by an entity
6 licensed under the Hospital Licensing Act, the Nursing Home
7 Care Act, the Assisted Living and Shared Housing Act, the
8 ID/DD Community Care Act, the MC/DD Act, the Specialized
9 Mental Health Rehabilitation Act of 2013, or the Child Care
10 Act of 1969, or an entity that holds a permit issued pursuant
11 to the Life Care Facilities Act is exempt from the tax imposed
12 by this Act. On and after January 1, 2026, food for human
13 consumption that is to be consumed off the premises where it is
14 sold (other than alcoholic beverages, food consisting of or
15 infused with adult use cannabis, soft drinks, candy, and food
16 that has been prepared for immediate consumption and is not
17 otherwise included in this paragraph) is exempt from the tax
18 imposed by this Act.

19 The tax shall be imposed at the rate of 1% on prescription
20 and nonprescription medicines, drugs, medical appliances,
21 products classified as Class III medical devices by the United
22 States Food and Drug Administration that are used for cancer
23 treatment pursuant to a prescription, as well as any
24 accessories and components related to those devices,
25 modifications to a motor vehicle for the purpose of rendering
26 it usable by a person with a disability, and insulin, blood

1 sugar testing materials, syringes, and needles used by human
2 diabetics. For the purposes of this Section, until September
3 1, 2009: the term "soft drinks" means any complete, finished,
4 ready-to-use, non-alcoholic drink, whether carbonated or not,
5 including, but not limited to, soda water, cola, fruit juice,
6 vegetable juice, carbonated water, and all other preparations
7 commonly known as soft drinks of whatever kind or description
8 that are contained in any closed or sealed can, carton, or
9 container, regardless of size; but "soft drinks" does not
10 include coffee, tea, non-carbonated water, infant formula,
11 milk or milk products as defined in the Grade A Pasteurized
12 Milk and Milk Products Act, or drinks containing 50% or more
13 natural fruit or vegetable juice.

14 Notwithstanding any other provisions of this Act,
15 beginning September 1, 2009, "soft drinks" means non-alcoholic
16 beverages that contain natural or artificial sweeteners. "Soft
17 drinks" does not include beverages that contain milk or milk
18 products, soy, rice or similar milk substitutes, or greater
19 than 50% of vegetable or fruit juice by volume.

20 Until August 1, 2009, and notwithstanding any other
21 provisions of this Act, "food for human consumption that is to
22 be consumed off the premises where it is sold" includes all
23 food sold through a vending machine, except soft drinks and
24 food products that are dispensed hot from a vending machine,
25 regardless of the location of the vending machine. Beginning
26 August 1, 2009, and notwithstanding any other provisions of

1 this Act, "food for human consumption that is to be consumed
2 off the premises where it is sold" includes all food sold
3 through a vending machine, except soft drinks, candy, and food
4 products that are dispensed hot from a vending machine,
5 regardless of the location of the vending machine.

6 Notwithstanding any other provisions of this Act,
7 beginning September 1, 2009, "food for human consumption that
8 is to be consumed off the premises where it is sold" does not
9 include candy. For purposes of this Section, "candy" means a
10 preparation of sugar, honey, or other natural or artificial
11 sweeteners in combination with chocolate, fruits, nuts or
12 other ingredients or flavorings in the form of bars, drops, or
13 pieces. "Candy" does not include any preparation that contains
14 flour or requires refrigeration.

15 Notwithstanding any other provisions of this Act,
16 beginning September 1, 2009, "nonprescription medicines and
17 drugs" does not include grooming and hygiene products. For
18 purposes of this Section, "grooming and hygiene products"
19 includes, but is not limited to, soaps and cleaning solutions,
20 shampoo, toothpaste, mouthwash, antiperspirants, and sun tan
21 lotions and screens, unless those products are available by
22 prescription only, regardless of whether the products meet the
23 definition of "over-the-counter-drugs". For the purposes of
24 this paragraph, "over-the-counter-drug" means a drug for human
25 use that contains a label that identifies the product as a drug
26 as required by 21 CFR 201.66. The "over-the-counter-drug"

1 label includes:

2 (A) a "Drug Facts" panel; or

3 (B) a statement of the "active ingredient(s)" with a
4 list of those ingredients contained in the compound,
5 substance or preparation.

6 Beginning on January 1, 2014 (the effective date of Public
7 Act 98-122), "prescription and nonprescription medicines and
8 drugs" includes medical cannabis purchased from a registered
9 dispensing organization under the Compassionate Use of Medical
10 Cannabis Program Act.

11 As used in this Section, "adult use cannabis" means
12 cannabis subject to tax under the Cannabis Cultivation
13 Privilege Tax Law and the Cannabis Purchaser Excise Tax Law
14 and does not include cannabis subject to tax under the
15 Compassionate Use of Medical Cannabis Program Act.

16 (Source: P.A. 102-4, eff. 4-27-21; 102-16, eff. 6-17-21;
17 102-700, Article 20, Section 20-15, eff. 4-19-22; 102-700,
18 Article 60, Section 60-25, eff. 4-19-22; 103-9, eff. 6-7-23;
19 103-154, eff. 6-30-23; 103-592, eff. 1-1-25; 103-781, eff.
20 8-5-24; revised 11-26-24.)

21 (35 ILCS 115/9) (from Ch. 120, par. 439.109)

22 Sec. 9. Each serviceman required or authorized to collect
23 the tax herein imposed shall pay to the Department the amount
24 of such tax at the time when he is required to file his return
25 for the period during which such tax was collectible, less a

1 discount of 2.1% prior to January 1, 1990, and 1.75% on and
2 after January 1, 1990, or \$5 per calendar year, whichever is
3 greater, which is allowed to reimburse the serviceman for
4 expenses incurred in collecting the tax, keeping records,
5 preparing and filing returns, remitting the tax, and supplying
6 data to the Department on request. On and after January 1,
7 2026, a certified service provider, as defined in the Leveling
8 the Playing Field for Illinois Retail Act, filing the return
9 under this Section on behalf of a serviceman maintaining a
10 place of business in this State shall, at the time of such
11 return, pay to the Department the amount of tax imposed by this
12 Act less a discount of 1.75%, not to exceed \$1,000 ~~\$1000~~ per
13 month as provided in this Section. A serviceman maintaining a
14 place of business in this State using a certified service
15 provider to file a return on its behalf, as provided in the
16 Leveling the Playing Field for Illinois Retail Act, is not
17 eligible for the discount. Beginning with returns due on or
18 after January 1, 2025, the vendor's discount allowed in this
19 Section, the Retailers' Occupation Tax Act, the Use Tax Act,
20 and the Service Use Tax Act, including any local tax
21 administered by the Department and reported on the same
22 return, shall not exceed \$1,000 per month in the aggregate.
23 When determining the discount allowed under this Section,
24 servicemen shall include the amount of tax that would have
25 been due at the 1% rate but for the 0% rate imposed under
26 Public Act 102-700. The discount under this Section is not

1 allowed for the 1.25% portion of taxes paid on aviation fuel
2 that is subject to the revenue use requirements of 49 U.S.C.
3 47107(b) and 49 U.S.C. 47133. The discount allowed under this
4 Section is allowed only for returns that are filed in the
5 manner required by this Act. The Department may disallow the
6 discount for servicemen whose certificate of registration is
7 revoked at the time the return is filed, but only if the
8 Department's decision to revoke the certificate of
9 registration has become final.

10 Where such tangible personal property is sold under a
11 conditional sales contract, or under any other form of sale
12 wherein the payment of the principal sum, or a part thereof, is
13 extended beyond the close of the period for which the return is
14 filed, the serviceman, in collecting the tax may collect, for
15 each tax return period, only the tax applicable to the part of
16 the selling price actually received during such tax return
17 period.

18 Except as provided hereinafter in this Section, on or
19 before the twentieth day of each calendar month, such
20 serviceman shall file a return for the preceding calendar
21 month in accordance with reasonable rules and regulations to
22 be promulgated by the Department of Revenue. Such return shall
23 be filed on a form prescribed by the Department and shall
24 contain such information as the Department may reasonably
25 require. The return shall include the gross receipts which
26 were received during the preceding calendar month or quarter

1 on the following items upon which tax would have been due but
2 for the 0% rate imposed under Public Act 102-700: (i) food for
3 human consumption that is to be consumed off the premises
4 where it is sold (other than alcoholic beverages, food
5 consisting of or infused with adult use cannabis, soft drinks,
6 and food that has been prepared for immediate consumption);
7 and (ii) food prepared for immediate consumption and
8 transferred incident to a sale of service subject to this Act
9 or the Service Use Tax Act by an entity licensed under the
10 Hospital Licensing Act, the Nursing Home Care Act, the
11 Assisted Living and Shared Housing Act, the ID/DD Community
12 Care Act, the MC/DD Act, the Specialized Mental Health
13 Rehabilitation Act of 2013, or the Child Care Act of 1969, or
14 an entity that holds a permit issued pursuant to the Life Care
15 Facilities Act. The return shall also include the amount of
16 tax that would have been due on the items listed in the
17 previous sentence but for the 0% rate imposed under Public Act
18 102-700.

19 On and after January 1, 2018, with respect to servicemen
20 whose annual gross receipts average \$20,000 or more, all
21 returns required to be filed pursuant to this Act shall be
22 filed electronically. Servicemen who demonstrate that they do
23 not have access to the Internet or demonstrate hardship in
24 filing electronically may petition the Department to waive the
25 electronic filing requirement.

26 The Department may require returns to be filed on a

1 quarterly basis. If so required, a return for each calendar
2 quarter shall be filed on or before the twentieth day of the
3 calendar month following the end of such calendar quarter. The
4 taxpayer shall also file a return with the Department for each
5 of the first 2 ~~two~~ months of each calendar quarter, on or
6 before the twentieth day of the following calendar month,
7 stating:

8 1. The name of the seller;

9 2. The address of the principal place of business from
10 which he engages in business as a serviceman in this
11 State;

12 3. The total amount of taxable receipts received by
13 him during the preceding calendar month, including
14 receipts from charge and time sales, but less all
15 deductions allowed by law;

16 4. The amount of credit provided in Section 2d of this
17 Act;

18 5. The amount of tax due;

19 5-5. The signature of the taxpayer; and

20 6. Such other reasonable information as the Department
21 may require.

22 Each serviceman required or authorized to collect the tax
23 herein imposed on aviation fuel acquired as an incident to the
24 purchase of a service in this State during the preceding
25 calendar month shall, instead of reporting and paying tax as
26 otherwise required by this Section, report and pay such tax on

1 a separate aviation fuel tax return. The requirements related
2 to the return shall be as otherwise provided in this Section.
3 Notwithstanding any other provisions of this Act to the
4 contrary, servicemen transferring aviation fuel incident to
5 sales of service shall file all aviation fuel tax returns and
6 shall make all aviation fuel tax payments by electronic means
7 in the manner and form required by the Department. For
8 purposes of this Section, "aviation fuel" means jet fuel and
9 aviation gasoline.

10 If a taxpayer fails to sign a return within 30 days after
11 the proper notice and demand for signature by the Department,
12 the return shall be considered valid and any amount shown to be
13 due on the return shall be deemed assessed.

14 Notwithstanding any other provision of this Act to the
15 contrary, servicemen subject to tax on cannabis shall file all
16 cannabis tax returns and shall make all cannabis tax payments
17 by electronic means in the manner and form required by the
18 Department.

19 Prior to October 1, 2003, and on and after September 1,
20 2004 a serviceman may accept a Manufacturer's Purchase Credit
21 certification from a purchaser in satisfaction of Service Use
22 Tax as provided in Section 3-70 of the Service Use Tax Act if
23 the purchaser provides the appropriate documentation as
24 required by Section 3-70 of the Service Use Tax Act. A
25 Manufacturer's Purchase Credit certification, accepted prior
26 to October 1, 2003 or on or after September 1, 2004 by a

1 serviceman as provided in Section 3-70 of the Service Use Tax
2 Act, may be used by that serviceman to satisfy Service
3 Occupation Tax liability in the amount claimed in the
4 certification, not to exceed 6.25% of the receipts subject to
5 tax from a qualifying purchase. A Manufacturer's Purchase
6 Credit reported on any original or amended return filed under
7 this Act after October 20, 2003 for reporting periods prior to
8 September 1, 2004 shall be disallowed. Manufacturer's Purchase
9 Credit reported on annual returns due on or after January 1,
10 2005 will be disallowed for periods prior to September 1,
11 2004. No Manufacturer's Purchase Credit may be used after
12 September 30, 2003 through August 31, 2004 to satisfy any tax
13 liability imposed under this Act, including any audit
14 liability.

15 Beginning on July 1, 2023 and through December 31, 2032, a
16 serviceman may accept a Sustainable Aviation Fuel Purchase
17 Credit certification from an air common carrier-purchaser in
18 satisfaction of Service Use Tax as provided in Section 3-72 of
19 the Service Use Tax Act if the purchaser provides the
20 appropriate documentation as required by Section 3-72 of the
21 Service Use Tax Act. A Sustainable Aviation Fuel Purchase
22 Credit certification accepted by a serviceman in accordance
23 with this paragraph may be used by that serviceman to satisfy
24 service occupation tax liability (but not in satisfaction of
25 penalty or interest) in the amount claimed in the
26 certification, not to exceed 6.25% of the receipts subject to

1 tax from a sale of aviation fuel. In addition, for a sale of
2 aviation fuel to qualify to earn the Sustainable Aviation Fuel
3 Purchase Credit, servicemen must retain in their books and
4 records a certification from the producer of the aviation fuel
5 that the aviation fuel sold by the serviceman and for which a
6 sustainable aviation fuel purchase credit was earned meets the
7 definition of sustainable aviation fuel under Section 3-72 of
8 the Service Use Tax Act. The documentation must include detail
9 sufficient for the Department to determine the number of
10 gallons of sustainable aviation fuel sold.

11 If the serviceman's average monthly tax liability to the
12 Department does not exceed \$200, the Department may authorize
13 his returns to be filed on a quarter annual basis, with the
14 return for January, February, and March of a given year being
15 due by April 20 of such year; with the return for April, May,
16 and June of a given year being due by July 20 of such year;
17 with the return for July, August, and September of a given year
18 being due by October 20 of such year, and with the return for
19 October, November, and December of a given year being due by
20 January 20 of the following year.

21 If the serviceman's average monthly tax liability to the
22 Department does not exceed \$50, the Department may authorize
23 his returns to be filed on an annual basis, with the return for
24 a given year being due by January 20 of the following year.

25 Such quarter annual and annual returns, as to form and
26 substance, shall be subject to the same requirements as

1 monthly returns.

2 Notwithstanding any other provision in this Act concerning
3 the time within which a serviceman may file his return, in the
4 case of any serviceman who ceases to engage in a kind of
5 business which makes him responsible for filing returns under
6 this Act, such serviceman shall file a final return under this
7 Act with the Department not more than one month after
8 discontinuing such business.

9 Beginning October 1, 1993, a taxpayer who has an average
10 monthly tax liability of \$150,000 or more shall make all
11 payments required by rules of the Department by electronic
12 funds transfer. Beginning October 1, 1994, a taxpayer who has
13 an average monthly tax liability of \$100,000 or more shall
14 make all payments required by rules of the Department by
15 electronic funds transfer. Beginning October 1, 1995, a
16 taxpayer who has an average monthly tax liability of \$50,000
17 or more shall make all payments required by rules of the
18 Department by electronic funds transfer. Beginning October 1,
19 2000, a taxpayer who has an annual tax liability of \$200,000 or
20 more shall make all payments required by rules of the
21 Department by electronic funds transfer. The term "annual tax
22 liability" shall be the sum of the taxpayer's liabilities
23 under this Act, and under all other State and local occupation
24 and use tax laws administered by the Department, for the
25 immediately preceding calendar year. The term "average monthly
26 tax liability" means the sum of the taxpayer's liabilities

1 under this Act, and under all other State and local occupation
2 and use tax laws administered by the Department, for the
3 immediately preceding calendar year divided by 12. Beginning
4 on October 1, 2002, a taxpayer who has a tax liability in the
5 amount set forth in subsection (b) of Section 2505-210 of the
6 Department of Revenue Law shall make all payments required by
7 rules of the Department by electronic funds transfer.

8 Before August 1 of each year beginning in 1993, the
9 Department shall notify all taxpayers required to make
10 payments by electronic funds transfer. All taxpayers required
11 to make payments by electronic funds transfer shall make those
12 payments for a minimum of one year beginning on October 1.

13 Any taxpayer not required to make payments by electronic
14 funds transfer may make payments by electronic funds transfer
15 with the permission of the Department.

16 All taxpayers required to make payment by electronic funds
17 transfer and any taxpayers authorized to voluntarily make
18 payments by electronic funds transfer shall make those
19 payments in the manner authorized by the Department.

20 The Department shall adopt such rules as are necessary to
21 effectuate a program of electronic funds transfer and the
22 requirements of this Section.

23 Where a serviceman collects the tax with respect to the
24 selling price of tangible personal property which he sells and
25 the purchaser thereafter returns such tangible personal
26 property and the serviceman refunds the selling price thereof

1 to the purchaser, such serviceman shall also refund, to the
2 purchaser, the tax so collected from the purchaser. When
3 filing his return for the period in which he refunds such tax
4 to the purchaser, the serviceman may deduct the amount of the
5 tax so refunded by him to the purchaser from any other Service
6 Occupation Tax, Service Use Tax, Retailers' Occupation Tax, or
7 Use Tax which such serviceman may be required to pay or remit
8 to the Department, as shown by such return, provided that the
9 amount of the tax to be deducted shall previously have been
10 remitted to the Department by such serviceman. If the
11 serviceman shall not previously have remitted the amount of
12 such tax to the Department, he shall be entitled to no
13 deduction hereunder upon refunding such tax to the purchaser.

14 If experience indicates such action to be practicable, the
15 Department may prescribe and furnish a combination or joint
16 return which will enable servicemen, who are required to file
17 returns hereunder and also under the Retailers' Occupation Tax
18 Act, the Use Tax Act, or the Service Use Tax Act, to furnish
19 all the return information required by all said Acts on the one
20 form.

21 Where the serviceman has more than one business registered
22 with the Department under separate registrations hereunder,
23 such serviceman shall file separate returns for each
24 registered business.

25 The net revenue realized at the 15% rate under either
26 Section 4 or Section 5 of the Retailers' Occupation Tax Act, as

1 incorporated into this Act by Section 12, shall be deposited
2 as follows: (i) notwithstanding the provisions of this Section
3 to the contrary, the net revenue realized from the portion of
4 the rate in excess of 5% shall be deposited into the State and
5 Local Sales Tax Reform Fund; and (ii) the net revenue realized
6 from the 5% portion of the rate shall be deposited as provided
7 in this Section for the 5% portion of the 6.25% general rate
8 imposed under this Act.

9 Beginning January 1, 1990, each month the Department shall
10 pay into the Local Government Tax Fund the revenue realized
11 for the preceding month from the 1% tax imposed under this Act.

12 Beginning January 1, 1990, each month the Department shall
13 pay into the County and Mass Transit District Fund 4% of the
14 revenue realized for the preceding month from the 6.25%
15 general rate on sales of tangible personal property other than
16 aviation fuel sold on or after December 1, 2019. This
17 exception for aviation fuel only applies for so long as the
18 revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C.
19 47133 are binding on the State.

20 Beginning August 1, 2000, each month the Department shall
21 pay into the County and Mass Transit District Fund 20% of the
22 net revenue realized for the preceding month from the 1.25%
23 rate on the selling price of motor fuel and gasohol.

24 Beginning January 1, 1990, each month the Department shall
25 pay into the Local Government Tax Fund 16% of the revenue
26 realized for the preceding month from the 6.25% general rate

1 on transfers of tangible personal property other than aviation
2 fuel sold on or after December 1, 2019. This exception for
3 aviation fuel only applies for so long as the revenue use
4 requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are
5 binding on the State.

6 For aviation fuel sold on or after December 1, 2019, each
7 month the Department shall pay into the State Aviation Program
8 Fund 20% of the net revenue realized for the preceding month
9 from the 6.25% general rate on the selling price of aviation
10 fuel, less an amount estimated by the Department to be
11 required for refunds of the 20% portion of the tax on aviation
12 fuel under this Act, which amount shall be deposited into the
13 Aviation Fuel Sales Tax Refund Fund. The Department shall only
14 pay moneys into the State Aviation Program Fund and the
15 Aviation Fuel Sales Tax Refund Fund under this Act for so long
16 as the revenue use requirements of 49 U.S.C. 47107(b) and 49
17 U.S.C. 47133 are binding on the State.

18 Beginning August 1, 2000, each month the Department shall
19 pay into the Local Government Tax Fund 80% of the net revenue
20 realized for the preceding month from the 1.25% rate on the
21 selling price of motor fuel and gasohol.

22 Beginning October 1, 2009, each month the Department shall
23 pay into the Capital Projects Fund an amount that is equal to
24 an amount estimated by the Department to represent 80% of the
25 net revenue realized for the preceding month from the sale of
26 candy, grooming and hygiene products, and soft drinks that had

1 been taxed at a rate of 1% prior to September 1, 2009 but that
2 are now taxed at 6.25%.

3 Beginning July 1, 2013, each month the Department shall
4 pay into the Underground Storage Tank Fund from the proceeds
5 collected under this Act, the Use Tax Act, the Service Use Tax
6 Act, and the Retailers' Occupation Tax Act an amount equal to
7 the average monthly deficit in the Underground Storage Tank
8 Fund during the prior year, as certified annually by the
9 Illinois Environmental Protection Agency, but the total
10 payment into the Underground Storage Tank Fund under this Act,
11 the Use Tax Act, the Service Use Tax Act, and the Retailers'
12 Occupation Tax Act shall not exceed \$18,000,000 in any State
13 fiscal year. As used in this paragraph, the "average monthly
14 deficit" shall be equal to the difference between the average
15 monthly claims for payment by the fund and the average monthly
16 revenues deposited into the fund, excluding payments made
17 pursuant to this paragraph.

18 Beginning July 1, 2015, of the remainder of the moneys
19 received by the Department under the Use Tax Act, the Service
20 Use Tax Act, this Act, and the Retailers' Occupation Tax Act,
21 each month the Department shall deposit \$500,000 into the
22 State Crime Laboratory Fund.

23 Beginning February 1, 2027, each month the Department
24 shall pay into the Local Government Tax Fund 80% of the net
25 revenue realized for the preceding month from the 1.25% rate
26 on the selling price of clothing with a selling price of less

1 than \$100.

2 Beginning February 1, 2027, each month the Department
3 shall pay into the County and Mass Transit District Fund 20% of
4 the net revenue realized for the preceding month from the
5 1.25% rate on the selling price of clothing with a selling
6 price of less than \$100.

7 Of the remainder of the moneys received by the Department
8 pursuant to this Act, (a) 1.75% thereof shall be paid into the
9 Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on
10 and after July 1, 1989, 3.8% thereof shall be paid into the
11 Build Illinois Fund; provided, however, that if in any fiscal
12 year the sum of (1) the aggregate of 2.2% or 3.8%, as the case
13 may be, of the moneys received by the Department and required
14 to be paid into the Build Illinois Fund pursuant to Section 3
15 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax
16 Act, Section 9 of the Service Use Tax Act, and Section 9 of the
17 Service Occupation Tax Act, such Acts being hereinafter called
18 the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case
19 may be, of moneys being hereinafter called the "Tax Act
20 Amount", and (2) the amount transferred to the Build Illinois
21 Fund from the State and Local Sales Tax Reform Fund shall be
22 less than the Annual Specified Amount (as defined in Section 3
23 of the Retailers' Occupation Tax Act), an amount equal to the
24 difference shall be immediately paid into the Build Illinois
25 Fund from other moneys received by the Department pursuant to
26 the Tax Acts; and further provided, that if on the last

1 business day of any month the sum of (1) the Tax Act Amount
2 required to be deposited into the Build Illinois Account in
3 the Build Illinois Fund during such month and (2) the amount
4 transferred during such month to the Build Illinois Fund from
5 the State and Local Sales Tax Reform Fund shall have been less
6 than 1/12 of the Annual Specified Amount, an amount equal to
7 the difference shall be immediately paid into the Build
8 Illinois Fund from other moneys received by the Department
9 pursuant to the Tax Acts; and, further provided, that in no
10 event shall the payments required under the preceding proviso
11 result in aggregate payments into the Build Illinois Fund
12 pursuant to this clause (b) for any fiscal year in excess of
13 the greater of (i) the Tax Act Amount or (ii) the Annual
14 Specified Amount for such fiscal year; and, further provided,
15 that the amounts payable into the Build Illinois Fund under
16 this clause (b) shall be payable only until such time as the
17 aggregate amount on deposit under each trust indenture
18 securing Bonds issued and outstanding pursuant to the Build
19 Illinois Bond Act is sufficient, taking into account any
20 future investment income, to fully provide, in accordance with
21 such indenture, for the defeasance of or the payment of the
22 principal of, premium, if any, and interest on the Bonds
23 secured by such indenture and on any Bonds expected to be
24 issued thereafter and all fees and costs payable with respect
25 thereto, all as certified by the Director of the Bureau of the
26 Budget (now Governor's Office of Management and Budget). If on

1 the last business day of any month in which Bonds are
2 outstanding pursuant to the Build Illinois Bond Act, the
3 aggregate of the moneys deposited into ~~in~~ the Build Illinois
4 Bond Account in the Build Illinois Fund in such month shall be
5 less than the amount required to be transferred in such month
6 from the Build Illinois Bond Account to the Build Illinois
7 Bond Retirement and Interest Fund pursuant to Section 13 of
8 the Build Illinois Bond Act, an amount equal to such
9 deficiency shall be immediately paid from other moneys
10 received by the Department pursuant to the Tax Acts to the
11 Build Illinois Fund; provided, however, that any amounts paid
12 to the Build Illinois Fund in any fiscal year pursuant to this
13 sentence shall be deemed to constitute payments pursuant to
14 clause (b) of the preceding sentence and shall reduce the
15 amount otherwise payable for such fiscal year pursuant to
16 clause (b) of the preceding sentence. The moneys received by
17 the Department pursuant to this Act and required to be
18 deposited into the Build Illinois Fund are subject to the
19 pledge, claim and charge set forth in Section 12 of the Build
20 Illinois Bond Act.

21 Subject to payment of amounts into the Build Illinois Fund
22 as provided in the preceding paragraph or in any amendment
23 thereto hereafter enacted, the following specified monthly
24 installment of the amount requested in the certificate of the
25 Chairman of the Metropolitan Pier and Exposition Authority
26 provided under Section 8.25f of the State Finance Act, but not

1 in excess of the sums designated as "Total Deposit", shall be
2 deposited in the aggregate from collections under Section 9 of
3 the Use Tax Act, Section 9 of the Service Use Tax Act, Section
4 9 of the Service Occupation Tax Act, and Section 3 of the
5 Retailers' Occupation Tax Act into the McCormick Place
6 Expansion Project Fund in the specified fiscal years.

7	Fiscal Year	Total Deposit
8	1993	\$0
9	1994	53,000,000
10	1995	58,000,000
11	1996	61,000,000
12	1997	64,000,000
13	1998	68,000,000
14	1999	71,000,000
15	2000	75,000,000
16	2001	80,000,000
17	2002	93,000,000
18	2003	99,000,000
19	2004	103,000,000
20	2005	108,000,000
21	2006	113,000,000
22	2007	119,000,000
23	2008	126,000,000
24	2009	132,000,000
25	2010	139,000,000

1	2011	146,000,000
2	2012	153,000,000
3	2013	161,000,000
4	2014	170,000,000
5	2015	179,000,000
6	2016	189,000,000
7	2017	199,000,000
8	2018	210,000,000
9	2019	221,000,000
10	2020	233,000,000
11	2021	300,000,000
12	2022	300,000,000
13	2023	300,000,000
14	2024	300,000,000
15	2025	300,000,000
16	2026	300,000,000
17	2027	375,000,000
18	2028	375,000,000
19	2029	375,000,000
20	2030	375,000,000
21	2031	375,000,000
22	2032	375,000,000
23	2033	375,000,000
24	2034	375,000,000
25	2035	375,000,000
26	2036	450,000,000

1 and
2 each fiscal year
3 thereafter that bonds
4 are outstanding under
5 Section 13.2 of the
6 Metropolitan Pier and
7 Exposition Authority Act,
8 but not after fiscal year 2060.

9 Beginning July 20, 1993 and in each month of each fiscal
10 year thereafter, one-eighth of the amount requested in the
11 certificate of the Chairman of the Metropolitan Pier and
12 Exposition Authority for that fiscal year, less the amount
13 deposited into the McCormick Place Expansion Project Fund by
14 the State Treasurer in the respective month under subsection
15 (g) of Section 13 of the Metropolitan Pier and Exposition
16 Authority Act, plus cumulative deficiencies in the deposits
17 required under this Section for previous months and years,
18 shall be deposited into the McCormick Place Expansion Project
19 Fund, until the full amount requested for the fiscal year, but
20 not in excess of the amount specified above as "Total
21 Deposit", has been deposited.

22 Subject to payment of amounts into the Capital Projects
23 Fund, the Build Illinois Fund, and the McCormick Place
24 Expansion Project Fund pursuant to the preceding paragraphs or
25 in any amendments thereto hereafter enacted, for aviation fuel
26 sold on or after December 1, 2019, the Department shall each

1 month deposit into the Aviation Fuel Sales Tax Refund Fund an
2 amount estimated by the Department to be required for refunds
3 of the 80% portion of the tax on aviation fuel under this Act.
4 The Department shall only deposit moneys into the Aviation
5 Fuel Sales Tax Refund Fund under this paragraph for so long as
6 the revenue use requirements of 49 U.S.C. 47107(b) and 49
7 U.S.C. 47133 are binding on the State.

8 Subject to payment of amounts into the Build Illinois Fund
9 and the McCormick Place Expansion Project Fund pursuant to the
10 preceding paragraphs or in any amendments thereto hereafter
11 enacted, beginning July 1, 1993 and ending on September 30,
12 2013, the Department shall each month pay into the Illinois
13 Tax Increment Fund 0.27% of 80% of the net revenue realized for
14 the preceding month from the 6.25% general rate on the selling
15 price of tangible personal property.

16 Subject to payment of amounts into the Build Illinois
17 Fund, the McCormick Place Expansion Project Fund, and the
18 Illinois Tax Increment Fund pursuant to the preceding
19 paragraphs or in any amendments to this Section hereafter
20 enacted, beginning on the first day of the first calendar
21 month to occur on or after August 26, 2014 (the effective date
22 of Public Act 98-1098), each month, from the collections made
23 under Section 9 of the Use Tax Act, Section 9 of the Service
24 Use Tax Act, Section 9 of the Service Occupation Tax Act, and
25 Section 3 of the Retailers' Occupation Tax Act, the Department
26 shall pay into the Tax Compliance and Administration Fund, to

1 be used, subject to appropriation, to fund additional auditors
2 and compliance personnel at the Department of Revenue, an
3 amount equal to 1/12 of 5% of 80% of the cash receipts
4 collected during the preceding fiscal year by the Audit Bureau
5 of the Department under the Use Tax Act, the Service Use Tax
6 Act, the Service Occupation Tax Act, the Retailers' Occupation
7 Tax Act, and associated local occupation and use taxes
8 administered by the Department.

9 Subject to payments of amounts into the Build Illinois
10 Fund, the McCormick Place Expansion Project Fund, the Illinois
11 Tax Increment Fund, and the Tax Compliance and Administration
12 Fund as provided in this Section, beginning on July 1, 2018 the
13 Department shall pay each month into the Downstate Public
14 Transportation Fund the moneys required to be so paid under
15 Section 2-3 of the Downstate Public Transportation Act.

16 Subject to successful execution and delivery of a
17 public-private agreement between the public agency and private
18 entity and completion of the civic build, beginning on July 1,
19 2023, of the remainder of the moneys received by the
20 Department under the Use Tax Act, the Service Use Tax Act, the
21 Service Occupation Tax Act, and this Act, the Department shall
22 deposit the following specified deposits in the aggregate from
23 collections under the Use Tax Act, the Service Use Tax Act, the
24 Service Occupation Tax Act, and the Retailers' Occupation Tax
25 Act, as required under Section 8.25g of the State Finance Act
26 for distribution consistent with the Public-Private

1 Partnership for Civic and Transit Infrastructure Project Act.
 2 The moneys received by the Department pursuant to this Act and
 3 required to be deposited into the Civic and Transit
 4 Infrastructure Fund are subject to the pledge, claim and
 5 charge set forth in Section 25-55 of the Public-Private
 6 Partnership for Civic and Transit Infrastructure Project Act.
 7 As used in this paragraph, "civic build", "private entity",
 8 "public-private agreement", and "public agency" have the
 9 meanings provided in Section 25-10 of the Public-Private
 10 Partnership for Civic and Transit Infrastructure Project Act.

11	Fiscal Year.....	Total Deposit
12	2024	\$200,000,000
13	2025	\$206,000,000
14	2026	\$212,200,000
15	2027	\$218,500,000
16	2028	\$225,100,000
17	2029	\$288,700,000
18	2030	\$298,900,000
19	2031	\$309,300,000
20	2032	\$320,100,000
21	2033	\$331,200,000
22	2034	\$341,200,000
23	2035	\$351,400,000
24	2036	\$361,900,000
25	2037	\$372,800,000
26	2038	\$384,000,000

1	2039	.....	\$395,500,000
2	2040	.....	\$407,400,000
3	2041	.....	\$419,600,000
4	2042	.....	\$432,200,000
5	2043	.....	\$445,100,000

6 Beginning July 1, 2021 and until July 1, 2022, subject to
7 the payment of amounts into the County and Mass Transit
8 District Fund, the Local Government Tax Fund, the Build
9 Illinois Fund, the McCormick Place Expansion Project Fund, the
10 Illinois Tax Increment Fund, and the Tax Compliance and
11 Administration Fund as provided in this Section, the
12 Department shall pay each month into the Road Fund the amount
13 estimated to represent 16% of the net revenue realized from
14 the taxes imposed on motor fuel and gasohol. Beginning July 1,
15 2022 and until July 1, 2023, subject to the payment of amounts
16 into the County and Mass Transit District Fund, the Local
17 Government Tax Fund, the Build Illinois Fund, the McCormick
18 Place Expansion Project Fund, the Illinois Tax Increment Fund,
19 and the Tax Compliance and Administration Fund as provided in
20 this Section, the Department shall pay each month into the
21 Road Fund the amount estimated to represent 32% of the net
22 revenue realized from the taxes imposed on motor fuel and
23 gasohol. Beginning July 1, 2023 and until July 1, 2024,
24 subject to the payment of amounts into the County and Mass
25 Transit District Fund, the Local Government Tax Fund, the
26 Build Illinois Fund, the McCormick Place Expansion Project

1 Fund, the Illinois Tax Increment Fund, and the Tax Compliance
2 and Administration Fund as provided in this Section, the
3 Department shall pay each month into the Road Fund the amount
4 estimated to represent 48% of the net revenue realized from
5 the taxes imposed on motor fuel and gasohol. Beginning July 1,
6 2024 and until July 1, 2026, subject to the payment of amounts
7 into the County and Mass Transit District Fund, the Local
8 Government Tax Fund, the Build Illinois Fund, the McCormick
9 Place Expansion Project Fund, the Illinois Tax Increment Fund,
10 and the Tax Compliance and Administration Fund as provided in
11 this Section, the Department shall pay each month into the
12 Road Fund the amount estimated to represent 64% of the net
13 revenue realized from the taxes imposed on motor fuel and
14 gasohol. Beginning on July 1, 2026, subject to the payment of
15 amounts into the County and Mass Transit District Fund, the
16 Local Government Tax Fund, the Build Illinois Fund, the
17 McCormick Place Expansion Project Fund, the Illinois Tax
18 Increment Fund, and the Tax Compliance and Administration Fund
19 as provided in this Section, the Department shall pay each
20 month into the Road Fund the amount estimated to represent 80%
21 of the net revenue realized from the taxes imposed on motor
22 fuel and gasohol. As used in this paragraph "motor fuel" has
23 the meaning given to that term in Section 1.1 of the Motor Fuel
24 Tax Law, and "gasohol" has the meaning given to that term in
25 Section 3-40 of the Use Tax Act.

26 Until July 1, 2025, of the remainder of the moneys

1 received by the Department pursuant to this Act, 75% shall be
2 paid into the General Revenue Fund of the State treasury and
3 25% shall be reserved in a special account and used only for
4 the transfer to the Common School Fund as part of the monthly
5 transfer from the General Revenue Fund in accordance with
6 Section 8a of the State Finance Act. Beginning July 1, 2025, of
7 the remainder of the moneys received by the Department
8 pursuant to this Act, 75% shall be deposited into the General
9 Revenue Fund and 25% shall be deposited into the Common School
10 Fund.

11 The Department may, upon separate written notice to a
12 taxpayer, require the taxpayer to prepare and file with the
13 Department on a form prescribed by the Department within not
14 less than 60 days after receipt of the notice an annual
15 information return for the tax year specified in the notice.
16 Such annual return to the Department shall include a statement
17 of gross receipts as shown by the taxpayer's last federal
18 income tax return. If the total receipts of the business as
19 reported in the federal income tax return do not agree with the
20 gross receipts reported to the Department of Revenue for the
21 same period, the taxpayer shall attach to his annual return a
22 schedule showing a reconciliation of the 2 amounts and the
23 reasons for the difference. The taxpayer's annual return to
24 the Department shall also disclose the cost of goods sold by
25 the taxpayer during the year covered by such return, opening
26 and closing inventories of such goods for such year, cost of

1 goods used from stock or taken from stock and given away by the
2 taxpayer during such year, payroll ~~pay roll~~ information of the
3 taxpayer's business during such year and any additional
4 reasonable information which the Department deems would be
5 helpful in determining the accuracy of the monthly, quarterly
6 or annual returns filed by such taxpayer as hereinbefore
7 provided for in this Section.

8 If the annual information return required by this Section
9 is not filed when and as required, the taxpayer shall be liable
10 as follows:

11 (i) Until January 1, 1994, the taxpayer shall be
12 liable for a penalty equal to 1/6 of 1% of the tax due from
13 such taxpayer under this Act during the period to be
14 covered by the annual return for each month or fraction of
15 a month until such return is filed as required, the
16 penalty to be assessed and collected in the same manner as
17 any other penalty provided for in this Act.

18 (ii) On and after January 1, 1994, the taxpayer shall
19 be liable for a penalty as described in Section 3-4 of the
20 Uniform Penalty and Interest Act.

21 The chief executive officer, proprietor, owner, or highest
22 ranking manager shall sign the annual return to certify the
23 accuracy of the information contained therein. Any person who
24 willfully signs the annual return containing false or
25 inaccurate information shall be guilty of perjury and punished
26 accordingly. The annual return form prescribed by the

1 Department shall include a warning that the person signing the
2 return may be liable for perjury.

3 The foregoing portion of this Section concerning the
4 filing of an annual information return shall not apply to a
5 serviceman who is not required to file an income tax return
6 with the United States Government.

7 As soon as possible after the first day of each month, upon
8 certification of the Department of Revenue, the Comptroller
9 shall order transferred and the Treasurer shall transfer from
10 the General Revenue Fund to the Motor Fuel Tax Fund an amount
11 equal to 1.7% of 80% of the net revenue realized under this Act
12 for the second preceding month. Beginning April 1, 2000, this
13 transfer is no longer required and shall not be made.

14 Net revenue realized for a month shall be the revenue
15 collected by the State pursuant to this Act, less the amount
16 paid out during that month as refunds to taxpayers for
17 overpayment of liability.

18 For greater simplicity of administration, it shall be
19 permissible for manufacturers, importers and wholesalers whose
20 products are sold by numerous servicemen in Illinois, and who
21 wish to do so, to assume the responsibility for accounting and
22 paying to the Department all tax accruing under this Act with
23 respect to such sales, if the servicemen who are affected do
24 not make written objection to the Department to this
25 arrangement.

26 (Source: P.A. 103-9, eff. 6-7-23; 103-363, eff. 7-28-23;

1 103-592, eff. 6-7-24; 103-605, eff. 7-1-24; 104-6, Article 5,
2 Section 5-20, eff. 6-16-25; 104-6, Article 25, Section 25-15,
3 eff. 6-16-25; 104-6, Article 35, Section 35-30, eff. 6-16-25;
4 revised 7-21-25.)

5 Section 20. The Retailers' Occupation Tax Act is amended
6 by changing Sections 2-10 and 3 as follows:

7 (35 ILCS 120/2-10) from Ch. 120, par. 441-10

8 Sec. 2-10. Rate of tax. Unless otherwise provided in this
9 Section, the tax imposed by this Act is at the rate of 6.25% of
10 gross receipts from sales, which, on and after January 1,
11 2025, includes leases, of tangible personal property made in
12 the course of business.

13 Beginning on July 1, 2000 and through December 31, 2000,
14 with respect to motor fuel, as defined in Section 1.1 of the
15 Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of
16 the Use Tax Act, the tax is imposed at the rate of 1.25%.

17 Beginning on August 6, 2010 through August 15, 2010, and
18 beginning again on August 5, 2022 through August 14, 2022,
19 with respect to sales tax holiday items as defined in Section
20 2-8 of this Act, the tax is imposed at the rate of 1.25%.

21 Within 14 days after July 1, 2000 (the effective date of
22 Public Act 91-872), each retailer of motor fuel and gasohol
23 shall cause the following notice to be posted in a prominently
24 visible place on each retail dispensing device that is used to

1 dispense motor fuel or gasohol in the State of Illinois: "As of
2 July 1, 2000, the State of Illinois has eliminated the State's
3 share of sales tax on motor fuel and gasohol through December
4 31, 2000. The price on this pump should reflect the
5 elimination of the tax." The notice shall be printed in bold
6 print on a sign that is no smaller than 4 inches by 8 inches.
7 The sign shall be clearly visible to customers. Any retailer
8 who fails to post or maintain a required sign through December
9 31, 2000 is guilty of a petty offense for which the fine shall
10 be \$500 per day per each retail premises where a violation
11 occurs.

12 With respect to gasohol, as defined in the Use Tax Act, the
13 tax imposed by this Act applies to (i) 70% of the proceeds of
14 sales made on or after January 1, 1990, and before July 1,
15 2003, (ii) 80% of the proceeds of sales made on or after July
16 1, 2003 and on or before July 1, 2017, (iii) 100% of the
17 proceeds of sales made after July 1, 2017 and prior to January
18 1, 2024, (iv) 90% of the proceeds of sales made on or after
19 January 1, 2024 and on or before December 31, 2028, and (v)
20 100% of the proceeds of sales made after December 31, 2028. If,
21 at any time, however, the tax under this Act on sales of
22 gasohol, as defined in the Use Tax Act, is imposed at the rate
23 of 1.25%, then the tax imposed by this Act applies to 100% of
24 the proceeds of sales of gasohol made during that time.

25 With respect to mid-range ethanol blends, as defined in
26 Section 3-44.3 of the Use Tax Act, the tax imposed by this Act

1 applies to (i) 80% of the proceeds of sales made on or after
2 January 1, 2024 and on or before December 31, 2028 and (ii)
3 100% of the proceeds of sales made after December 31, 2028. If,
4 at any time, however, the tax under this Act on sales of
5 mid-range ethanol blends is imposed at the rate of 1.25%, then
6 the tax imposed by this Act applies to 100% of the proceeds of
7 sales of mid-range ethanol blends made during that time.

8 With respect to majority blended ethanol fuel, as defined
9 in the Use Tax Act, the tax imposed by this Act does not apply
10 to the proceeds of sales made on or after July 1, 2003 and on
11 or before December 31, 2028 but applies to 100% of the proceeds
12 of sales made thereafter.

13 With respect to biodiesel blends, as defined in the Use
14 Tax Act, with no less than 1% and no more than 10% biodiesel,
15 the tax imposed by this Act applies to (i) 80% of the proceeds
16 of sales made on or after July 1, 2003 and on or before
17 December 31, 2018 and (ii) 100% of the proceeds of sales made
18 after December 31, 2018 and before January 1, 2024. On and
19 after January 1, 2024 and on or before December 31, 2030, the
20 taxation of biodiesel, renewable diesel, and biodiesel blends
21 shall be as provided in Section 3-5.1 of the Use Tax Act. If,
22 at any time, however, the tax under this Act on sales of
23 biodiesel blends, as defined in the Use Tax Act, with no less
24 than 1% and no more than 10% biodiesel is imposed at the rate
25 of 1.25%, then the tax imposed by this Act applies to 100% of
26 the proceeds of sales of biodiesel blends with no less than 1%

1 and no more than 10% biodiesel made during that time.

2 With respect to biodiesel, as defined in the Use Tax Act,
3 and biodiesel blends, as defined in the Use Tax Act, with more
4 than 10% but no more than 99% biodiesel, the tax imposed by
5 this Act does not apply to the proceeds of sales made on or
6 after July 1, 2003 and on or before December 31, 2023. On and
7 after January 1, 2024 and on or before December 31, 2030, the
8 taxation of biodiesel, renewable diesel, and biodiesel blends
9 shall be as provided in Section 3-5.1 of the Use Tax Act.

10 Beginning on January 1, 2027, with respect to clothing
11 with a selling price of less than \$100, the tax is imposed at
12 the rate of 1.25%. For the purpose of applying this reduced
13 rate of tax, the term "clothing" means human-worn apparel that
14 is suitable for general use. The term "clothing" includes, but
15 is not limited to: household and shop aprons; athletic
16 supporters; bathing suits and caps; belts and suspenders;
17 boots; coats and jackets; ear muffs; footlets; gloves and
18 mittens for general use; hats and caps; hosiery; insoles for
19 shoes; lab coats; neckties; overshoes; pantyhose; rainwear;
20 rubber pants; sandals; scarves; shoes and shoelaces; slippers;
21 sneakers and athletic shoes; socks and stockings; steel-toed
22 shoes; underwear; and school uniforms. Except as otherwise
23 specifically provided in this Section, "clothing" does not
24 include clothing accessories, protective equipment, or sport
25 or recreational equipment. "Clothing accessories" means, but
26 is not limited to: briefcases; cosmetics; hair notions,

1 including, but not limited to barrettes, hair bows, and hair
2 nets; handbags; handkerchiefs; jewelry; non-prescription
3 sunglasses; umbrellas; wallets; watches; and wigs and hair
4 pieces. The reduction in the rate of tax for clothing with a
5 selling price of less than \$100 is exempt from the provisions
6 of Section 2-70.

7 Until July 1, 2022 and from July 1, 2023 through December
8 31, 2025, with respect to food for human consumption that is to
9 be consumed off the premises where it is sold (other than
10 alcoholic beverages, food consisting of or infused with adult
11 use cannabis, soft drinks, and food that has been prepared for
12 immediate consumption), the tax is imposed at the rate of 1%.
13 Beginning July 1, 2022 and until July 1, 2023, with respect to
14 food for human consumption that is to be consumed off the
15 premises where it is sold (other than alcoholic beverages,
16 food consisting of or infused with adult use cannabis, soft
17 drinks, and food that has been prepared for immediate
18 consumption), the tax is imposed at the rate of 0%. On and
19 after January 1, 2026, food for human consumption that is to be
20 consumed off the premises where it is sold (other than
21 alcoholic beverages, food consisting of or infused with adult
22 use cannabis, soft drinks, candy, and food that has been
23 prepared for immediate consumption) is exempt from the tax
24 imposed by this Act.

25 With respect to prescription and nonprescription
26 medicines, drugs, medical appliances, products classified as

1 Class III medical devices by the United States Food and Drug
2 Administration that are used for cancer treatment pursuant to
3 a prescription, as well as any accessories and components
4 related to those devices, modifications to a motor vehicle for
5 the purpose of rendering it usable by a person with a
6 disability, and insulin, blood sugar testing materials,
7 syringes, and needles used by human diabetics, the tax is
8 imposed at the rate of 1%. For the purposes of this Section,
9 until September 1, 2009: the term "soft drinks" means any
10 complete, finished, ready-to-use, non-alcoholic drink, whether
11 carbonated or not, including, but not limited to, soda water,
12 cola, fruit juice, vegetable juice, carbonated water, and all
13 other preparations commonly known as soft drinks of whatever
14 kind or description that are contained in any closed or sealed
15 bottle, can, carton, or container, regardless of size; but
16 "soft drinks" does not include coffee, tea, non-carbonated
17 water, infant formula, milk or milk products as defined in the
18 Grade A Pasteurized Milk and Milk Products Act, or drinks
19 containing 50% or more natural fruit or vegetable juice.

20 Notwithstanding any other provisions of this Act,
21 beginning September 1, 2009, "soft drinks" means non-alcoholic
22 beverages that contain natural or artificial sweeteners. "Soft
23 drinks" does not include beverages that contain milk or milk
24 products, soy, rice or similar milk substitutes, or greater
25 than 50% of vegetable or fruit juice by volume.

26 Until August 1, 2009, and notwithstanding any other

1 provisions of this Act, "food for human consumption that is to
2 be consumed off the premises where it is sold" includes all
3 food sold through a vending machine, except soft drinks and
4 food products that are dispensed hot from a vending machine,
5 regardless of the location of the vending machine. Beginning
6 August 1, 2009, and notwithstanding any other provisions of
7 this Act, "food for human consumption that is to be consumed
8 off the premises where it is sold" includes all food sold
9 through a vending machine, except soft drinks, candy, and food
10 products that are dispensed hot from a vending machine,
11 regardless of the location of the vending machine.

12 Notwithstanding any other provisions of this Act,
13 beginning September 1, 2009, "food for human consumption that
14 is to be consumed off the premises where it is sold" does not
15 include candy. For purposes of this Section, "candy" means a
16 preparation of sugar, honey, or other natural or artificial
17 sweeteners in combination with chocolate, fruits, nuts or
18 other ingredients or flavorings in the form of bars, drops, or
19 pieces. "Candy" does not include any preparation that contains
20 flour or requires refrigeration.

21 Notwithstanding any other provisions of this Act,
22 beginning September 1, 2009, "nonprescription medicines and
23 drugs" does not include grooming and hygiene products. For
24 purposes of this Section, "grooming and hygiene products"
25 includes, but is not limited to, soaps and cleaning solutions,
26 shampoo, toothpaste, mouthwash, antiperspirants, and sun tan

1 lotions and screens, unless those products are available by
2 prescription only, regardless of whether the products meet the
3 definition of "over-the-counter-drugs". For the purposes of
4 this paragraph, "over-the-counter-drug" means a drug for human
5 use that contains a label that identifies the product as a drug
6 as required by 21 CFR 201.66. The "over-the-counter-drug"
7 label includes:

8 (A) a "Drug Facts" panel; or

9 (B) a statement of the "active ingredient(s)" with a
10 list of those ingredients contained in the compound,
11 substance or preparation.

12 Beginning on January 1, 2014 (the effective date of Public
13 Act 98-122), "prescription and nonprescription medicines and
14 drugs" includes medical cannabis purchased from a registered
15 dispensing organization under the Compassionate Use of Medical
16 Cannabis Program Act.

17 As used in this Section, "adult use cannabis" means
18 cannabis subject to tax under the Cannabis Cultivation
19 Privilege Tax Law and the Cannabis Purchaser Excise Tax Law
20 and does not include cannabis subject to tax under the
21 Compassionate Use of Medical Cannabis Program Act.

22 (Source: P.A. 102-4, eff. 4-27-21; 102-700, Article 20,
23 Section 20-20, eff. 4-19-22; 102-700, Article 60, Section
24 60-30, eff. 4-19-22; 102-700, Article 65, Section 65-10, eff.
25 4-19-22; 103-9, eff. 6-7-23; 103-154, eff. 6-30-23; 103-592,
26 eff. 1-1-25; 103-781, eff. 8-5-24; revised 11-26-24.)

1 (35 ILCS 120/3)

2 Sec. 3. Except as provided in this Section, on or before
3 the twentieth day of each calendar month, every person engaged
4 in the business of selling, which, on and after January 1,
5 2025, includes leasing, tangible personal property at retail
6 in this State during the preceding calendar month shall file a
7 return with the Department, stating:

8 1. The name of the seller;

9 2. His residence address and the address of his
10 principal place of business and the address of the
11 principal place of business (if that is a different
12 address) from which he engages in the business of selling
13 tangible personal property at retail in this State;

14 3. Total amount of receipts received by him during the
15 preceding calendar month or quarter, as the case may be,
16 from sales of tangible personal property, and from
17 services furnished, by him during such preceding calendar
18 month or quarter;

19 4. Total amount received by him during the preceding
20 calendar month or quarter on charge and time sales of
21 tangible personal property, and from services furnished,
22 by him prior to the month or quarter for which the return
23 is filed;

24 5. Deductions allowed by law;

25 6. Gross receipts which were received by him during

1 the preceding calendar month or quarter and upon the basis
2 of which the tax is imposed, including gross receipts on
3 food for human consumption that is to be consumed off the
4 premises where it is sold (other than alcoholic beverages,
5 food consisting of or infused with adult use cannabis,
6 soft drinks, and food that has been prepared for immediate
7 consumption) which were received during the preceding
8 calendar month or quarter and upon which tax would have
9 been due but for the 0% rate imposed under Public Act
10 102-700;

11 7. The amount of credit provided in Section 2d of this
12 Act;

13 8. The amount of tax due, including the amount of tax
14 that would have been due on food for human consumption
15 that is to be consumed off the premises where it is sold
16 (other than alcoholic beverages, food consisting of or
17 infused with adult use cannabis, soft drinks, and food
18 that has been prepared for immediate consumption) but for
19 the 0% rate imposed under Public Act 102-700;

20 9. The signature of the taxpayer; and

21 10. Such other reasonable information as the
22 Department may require.

23 In the case of leases, except as otherwise provided in
24 this Act, the lessor must remit for each tax return period only
25 the tax applicable to that part of the selling price actually
26 received during such tax return period.

1 On and after January 1, 2018, except for returns required
2 to be filed prior to January 1, 2023 for motor vehicles,
3 watercraft, aircraft, and trailers that are required to be
4 registered with an agency of this State, with respect to
5 retailers whose annual gross receipts average \$20,000 or more,
6 all returns required to be filed pursuant to this Act shall be
7 filed electronically. On and after January 1, 2023, with
8 respect to retailers whose annual gross receipts average
9 \$20,000 or more, all returns required to be filed pursuant to
10 this Act, including, but not limited to, returns for motor
11 vehicles, watercraft, aircraft, and trailers that are required
12 to be registered with an agency of this State, shall be filed
13 electronically. Retailers who demonstrate that they do not
14 have access to the Internet or demonstrate hardship in filing
15 electronically may petition the Department to waive the
16 electronic filing requirement.

17 If a taxpayer fails to sign a return within 30 days after
18 the proper notice and demand for signature by the Department,
19 the return shall be considered valid and any amount shown to be
20 due on the return shall be deemed assessed.

21 Each return shall be accompanied by the statement of
22 prepaid tax issued pursuant to Section 2e for which credit is
23 claimed.

24 Prior to October 1, 2003 and on and after September 1,
25 2004, a retailer may accept a Manufacturer's Purchase Credit
26 certification from a purchaser in satisfaction of Use Tax as

1 provided in Section 3-85 of the Use Tax Act if the purchaser
2 provides the appropriate documentation as required by Section
3 3-85 of the Use Tax Act. A Manufacturer's Purchase Credit
4 certification, accepted by a retailer prior to October 1, 2003
5 and on and after September 1, 2004 as provided in Section 3-85
6 of the Use Tax Act, may be used by that retailer to satisfy
7 Retailers' Occupation Tax liability in the amount claimed in
8 the certification, not to exceed 6.25% of the receipts subject
9 to tax from a qualifying purchase. A Manufacturer's Purchase
10 Credit reported on any original or amended return filed under
11 this Act after October 20, 2003 for reporting periods prior to
12 September 1, 2004 shall be disallowed. Manufacturer's Purchase
13 Credit reported on annual returns due on or after January 1,
14 2005 will be disallowed for periods prior to September 1,
15 2004. No Manufacturer's Purchase Credit may be used after
16 September 30, 2003 through August 31, 2004 to satisfy any tax
17 liability imposed under this Act, including any audit
18 liability.

19 Beginning on July 1, 2023 and through December 31, 2032, a
20 retailer may accept a Sustainable Aviation Fuel Purchase
21 Credit certification from an air common carrier-purchaser in
22 satisfaction of Use Tax on aviation fuel as provided in
23 Section 3-87 of the Use Tax Act if the purchaser provides the
24 appropriate documentation as required by Section 3-87 of the
25 Use Tax Act. A Sustainable Aviation Fuel Purchase Credit
26 certification accepted by a retailer in accordance with this

1 paragraph may be used by that retailer to satisfy Retailers'
2 Occupation Tax liability (but not in satisfaction of penalty
3 or interest) in the amount claimed in the certification, not
4 to exceed 6.25% of the receipts subject to tax from a sale of
5 aviation fuel. In addition, for a sale of aviation fuel to
6 qualify to earn the Sustainable Aviation Fuel Purchase Credit,
7 retailers must retain in their books and records a
8 certification from the producer of the aviation fuel that the
9 aviation fuel sold by the retailer and for which a sustainable
10 aviation fuel purchase credit was earned meets the definition
11 of sustainable aviation fuel under Section 3-87 of the Use Tax
12 Act. The documentation must include detail sufficient for the
13 Department to determine the number of gallons of sustainable
14 aviation fuel sold.

15 The Department may require returns to be filed on a
16 quarterly basis. If so required, a return for each calendar
17 quarter shall be filed on or before the twentieth day of the
18 calendar month following the end of such calendar quarter. The
19 taxpayer shall also file a return with the Department for each
20 of the first 2 months of each calendar quarter, on or before
21 the twentieth day of the following calendar month, stating:

22 1. The name of the seller;

23 2. The address of the principal place of business from
24 which he engages in the business of selling tangible
25 personal property at retail in this State;

26 3. The total amount of taxable receipts received by

1 him during the preceding calendar month from sales of
2 tangible personal property by him during such preceding
3 calendar month, including receipts from charge and time
4 sales, but less all deductions allowed by law;

5 4. The amount of credit provided in Section 2d of this
6 Act;

7 5. The amount of tax due; and

8 6. Such other reasonable information as the Department
9 may require.

10 Every person engaged in the business of selling aviation
11 fuel at retail in this State during the preceding calendar
12 month shall, instead of reporting and paying tax as otherwise
13 required by this Section, report and pay such tax on a separate
14 aviation fuel tax return. The requirements related to the
15 return shall be as otherwise provided in this Section.
16 Notwithstanding any other provisions of this Act to the
17 contrary, retailers selling aviation fuel shall file all
18 aviation fuel tax returns and shall make all aviation fuel tax
19 payments by electronic means in the manner and form required
20 by the Department. For purposes of this Section, "aviation
21 fuel" means jet fuel and aviation gasoline.

22 Beginning on October 1, 2003, any person who is not a
23 licensed distributor, importing distributor, or manufacturer,
24 as defined in the Liquor Control Act of 1934, but is engaged in
25 the business of selling, at retail, alcoholic liquor shall
26 file a statement with the Department of Revenue, in a format

1 and at a time prescribed by the Department, showing the total
2 amount paid for alcoholic liquor purchased during the
3 preceding month and such other information as is reasonably
4 required by the Department. The Department may adopt rules to
5 require that this statement be filed in an electronic or
6 telephonic format. Such rules may provide for exceptions from
7 the filing requirements of this paragraph. For the purposes of
8 this paragraph, the term "alcoholic liquor" shall have the
9 meaning prescribed in the Liquor Control Act of 1934.

10 Beginning on October 1, 2003, every distributor, importing
11 distributor, and manufacturer of alcoholic liquor as defined
12 in the Liquor Control Act of 1934, shall file a statement with
13 the Department of Revenue, no later than the 10th day of the
14 month for the preceding month during which transactions
15 occurred, by electronic means, showing the total amount of
16 gross receipts from the sale of alcoholic liquor sold or
17 distributed during the preceding month to purchasers;
18 identifying the purchaser to whom it was sold or distributed;
19 the purchaser's tax registration number; and such other
20 information reasonably required by the Department. A
21 distributor, importing distributor, or manufacturer of
22 alcoholic liquor must personally deliver, mail, or provide by
23 electronic means to each retailer listed on the monthly
24 statement a report containing a cumulative total of that
25 distributor's, importing distributor's, or manufacturer's
26 total sales of alcoholic liquor to that retailer no later than

1 the 10th day of the month for the preceding month during which
2 the transaction occurred. The distributor, importing
3 distributor, or manufacturer shall notify the retailer as to
4 the method by which the distributor, importing distributor, or
5 manufacturer will provide the sales information. If the
6 retailer is unable to receive the sales information by
7 electronic means, the distributor, importing distributor, or
8 manufacturer shall furnish the sales information by personal
9 delivery or by mail. For purposes of this paragraph, the term
10 "electronic means" includes, but is not limited to, the use of
11 a secure Internet website, e-mail, or facsimile.

12 If a total amount of less than \$1 is payable, refundable or
13 creditable, such amount shall be disregarded if it is less
14 than 50 cents and shall be increased to \$1 if it is 50 cents or
15 more.

16 Notwithstanding any other provision of this Act to the
17 contrary, retailers subject to tax on cannabis shall file all
18 cannabis tax returns and shall make all cannabis tax payments
19 by electronic means in the manner and form required by the
20 Department.

21 Beginning October 1, 1993, a taxpayer who has an average
22 monthly tax liability of \$150,000 or more shall make all
23 payments required by rules of the Department by electronic
24 funds transfer. Beginning October 1, 1994, a taxpayer who has
25 an average monthly tax liability of \$100,000 or more shall
26 make all payments required by rules of the Department by

1 electronic funds transfer. Beginning October 1, 1995, a
2 taxpayer who has an average monthly tax liability of \$50,000
3 or more shall make all payments required by rules of the
4 Department by electronic funds transfer. Beginning October 1,
5 2000, a taxpayer who has an annual tax liability of \$200,000 or
6 more shall make all payments required by rules of the
7 Department by electronic funds transfer. The term "annual tax
8 liability" shall be the sum of the taxpayer's liabilities
9 under this Act, and under all other State and local occupation
10 and use tax laws administered by the Department, for the
11 immediately preceding calendar year. The term "average monthly
12 tax liability" shall be the sum of the taxpayer's liabilities
13 under this Act, and under all other State and local occupation
14 and use tax laws administered by the Department, for the
15 immediately preceding calendar year divided by 12. Beginning
16 on October 1, 2002, a taxpayer who has a tax liability in the
17 amount set forth in subsection (b) of Section 2505-210 of the
18 Department of Revenue Law shall make all payments required by
19 rules of the Department by electronic funds transfer.

20 Before August 1 of each year beginning in 1993, the
21 Department shall notify all taxpayers required to make
22 payments by electronic funds transfer. All taxpayers required
23 to make payments by electronic funds transfer shall make those
24 payments for a minimum of one year beginning on October 1.

25 Any taxpayer not required to make payments by electronic
26 funds transfer may make payments by electronic funds transfer

1 with the permission of the Department.

2 All taxpayers required to make payment by electronic funds
3 transfer and any taxpayers authorized to voluntarily make
4 payments by electronic funds transfer shall make those
5 payments in the manner authorized by the Department.

6 The Department shall adopt such rules as are necessary to
7 effectuate a program of electronic funds transfer and the
8 requirements of this Section.

9 Any amount which is required to be shown or reported on any
10 return or other document under this Act shall, if such amount
11 is not a whole-dollar amount, be increased to the nearest
12 whole-dollar amount in any case where the fractional part of a
13 dollar is 50 cents or more, and decreased to the nearest
14 whole-dollar amount where the fractional part of a dollar is
15 less than 50 cents.

16 If the retailer is otherwise required to file a monthly
17 return and if the retailer's average monthly tax liability to
18 the Department does not exceed \$200, the Department may
19 authorize his returns to be filed on a quarter annual basis,
20 with the return for January, February, and March of a given
21 year being due by April 20 of such year; with the return for
22 April, May, and June of a given year being due by July 20 of
23 such year; with the return for July, August, and September of a
24 given year being due by October 20 of such year, and with the
25 return for October, November, and December of a given year
26 being due by January 20 of the following year.

1 If the retailer is otherwise required to file a monthly or
2 quarterly return and if the retailer's average monthly tax
3 liability with the Department does not exceed \$50, the
4 Department may authorize his returns to be filed on an annual
5 basis, with the return for a given year being due by January 20
6 of the following year.

7 Such quarter annual and annual returns, as to form and
8 substance, shall be subject to the same requirements as
9 monthly returns.

10 Notwithstanding any other provision in this Act concerning
11 the time within which a retailer may file his return, in the
12 case of any retailer who ceases to engage in a kind of business
13 which makes him responsible for filing returns under this Act,
14 such retailer shall file a final return under this Act with the
15 Department not more than one month after discontinuing such
16 business.

17 Where the same person has more than one business
18 registered with the Department under separate registrations
19 under this Act, such person may not file each return that is
20 due as a single return covering all such registered
21 businesses, but shall file separate returns for each such
22 registered business.

23 In addition, with respect to motor vehicles, watercraft,
24 aircraft, and trailers that are required to be registered with
25 an agency of this State, except as otherwise provided in this
26 Section, every retailer selling this kind of tangible personal

1 property shall file, with the Department, upon a form to be
2 prescribed and supplied by the Department, a separate return
3 for each such item of tangible personal property which the
4 retailer sells, except that if, in the same transaction, (i) a
5 retailer of aircraft, watercraft, motor vehicles, or trailers
6 transfers more than one aircraft, watercraft, motor vehicle,
7 or trailer to another aircraft, watercraft, motor vehicle
8 retailer, or trailer retailer for the purpose of resale or
9 (ii) a retailer of aircraft, watercraft, motor vehicles, or
10 trailers transfers more than one aircraft, watercraft, motor
11 vehicle, or trailer to a purchaser for use as a qualifying
12 rolling stock as provided in Section 2-5 of this Act, then that
13 seller may report the transfer of all aircraft, watercraft,
14 motor vehicles, or trailers involved in that transaction to
15 the Department on the same uniform invoice-transaction
16 reporting return form. For purposes of this Section,
17 "watercraft" means a Class 2, Class 3, or Class 4 watercraft as
18 defined in Section 3-2 of the Boat Registration and Safety
19 Act, a personal watercraft, or any boat equipped with an
20 inboard motor.

21 In addition, with respect to motor vehicles, watercraft,
22 aircraft, and trailers that are required to be registered with
23 an agency of this State, every person who is engaged in the
24 business of leasing or renting such items and who, in
25 connection with such business, sells any such item to a
26 retailer for the purpose of resale is, notwithstanding any

1 other provision of this Section to the contrary, authorized to
2 meet the return-filing requirement of this Act by reporting
3 the transfer of all the aircraft, watercraft, motor vehicles,
4 or trailers transferred for resale during a month to the
5 Department on the same uniform invoice-transaction reporting
6 return form on or before the 20th of the month following the
7 month in which the transfer takes place. Notwithstanding any
8 other provision of this Act to the contrary, all returns filed
9 under this paragraph must be filed by electronic means in the
10 manner and form as required by the Department.

11 Any retailer who sells only motor vehicles, watercraft,
12 aircraft, or trailers that are required to be registered with
13 an agency of this State, so that all retailers' occupation tax
14 liability is required to be reported, and is reported, on such
15 transaction reporting returns and who is not otherwise
16 required to file monthly or quarterly returns, need not file
17 monthly or quarterly returns. However, those retailers shall
18 be required to file returns on an annual basis.

19 The transaction reporting return, in the case of motor
20 vehicles or trailers that are required to be registered with
21 an agency of this State, shall be the same document as the
22 Uniform Invoice referred to in Section 5-402 of the Illinois
23 Vehicle Code and must show the name and address of the seller;
24 the name and address of the purchaser; the amount of the
25 selling price including the amount allowed by the retailer for
26 traded-in property, if any; the amount allowed by the retailer

1 for the traded-in tangible personal property, if any, to the
2 extent to which Section 1 of this Act allows an exemption for
3 the value of traded-in property; the balance payable after
4 deducting such trade-in allowance from the total selling
5 price; the amount of tax due from the retailer with respect to
6 such transaction; the amount of tax collected from the
7 purchaser by the retailer on such transaction (or satisfactory
8 evidence that such tax is not due in that particular instance,
9 if that is claimed to be the fact); the place and date of the
10 sale; a sufficient identification of the property sold; such
11 other information as is required in Section 5-402 of the
12 Illinois Vehicle Code, and such other information as the
13 Department may reasonably require.

14 The transaction reporting return in the case of watercraft
15 or aircraft must show the name and address of the seller; the
16 name and address of the purchaser; the amount of the selling
17 price including the amount allowed by the retailer for
18 traded-in property, if any; the amount allowed by the retailer
19 for the traded-in tangible personal property, if any, to the
20 extent to which Section 1 of this Act allows an exemption for
21 the value of traded-in property; the balance payable after
22 deducting such trade-in allowance from the total selling
23 price; the amount of tax due from the retailer with respect to
24 such transaction; the amount of tax collected from the
25 purchaser by the retailer on such transaction (or satisfactory
26 evidence that such tax is not due in that particular instance,

1 if that is claimed to be the fact); the place and date of the
2 sale, a sufficient identification of the property sold, and
3 such other information as the Department may reasonably
4 require.

5 Such transaction reporting return shall be filed not later
6 than 20 days after the day of delivery of the item that is
7 being sold, but may be filed by the retailer at any time sooner
8 than that if he chooses to do so. The transaction reporting
9 return and tax remittance or proof of exemption from the
10 Illinois use tax may be transmitted to the Department by way of
11 the State agency with which, or State officer with whom the
12 tangible personal property must be titled or registered (if
13 titling or registration is required) if the Department and
14 such agency or State officer determine that this procedure
15 will expedite the processing of applications for title or
16 registration.

17 With each such transaction reporting return, the retailer
18 shall remit the proper amount of tax due (or shall submit
19 satisfactory evidence that the sale is not taxable if that is
20 the case), to the Department or its agents, whereupon the
21 Department shall issue, in the purchaser's name, a use tax
22 receipt (or a certificate of exemption if the Department is
23 satisfied that the particular sale is tax-exempt ~~tax-exempt~~)
24 which such purchaser may submit to the agency with which, or
25 State officer with whom, he must title or register the
26 tangible personal property that is involved (if titling or

1 registration is required) in support of such purchaser's
2 application for an Illinois certificate or other evidence of
3 title or registration to such tangible personal property.

4 No retailer's failure or refusal to remit tax under this
5 Act precludes a user, who has paid the proper tax to the
6 retailer, from obtaining his certificate of title or other
7 evidence of title or registration (if titling or registration
8 is required) upon satisfying the Department that such user has
9 paid the proper tax (if tax is due) to the retailer. The
10 Department shall adopt appropriate rules to carry out the
11 mandate of this paragraph.

12 If the user who would otherwise pay tax to the retailer
13 wants the transaction reporting return filed and the payment
14 of the tax or proof of exemption made to the Department before
15 the retailer is willing to take these actions and such user has
16 not paid the tax to the retailer, such user may certify to the
17 fact of such delay by the retailer and may (upon the Department
18 being satisfied of the truth of such certification) transmit
19 the information required by the transaction reporting return
20 and the remittance for tax or proof of exemption directly to
21 the Department and obtain his tax receipt or exemption
22 determination, in which event the transaction reporting return
23 and tax remittance (if a tax payment was required) shall be
24 credited by the Department to the proper retailer's account
25 with the Department, but without the vendor's discount
26 provided for in this Section being allowed. When the user pays

1 the tax directly to the Department, he shall pay the tax in the
2 same amount and in the same form in which it would be remitted
3 if the tax had been remitted to the Department by the retailer.

4 On and after January 1, 2025, with respect to the lease of
5 trailers, other than semitrailers as defined in Section 1-187
6 of the Illinois Vehicle Code, that are required to be
7 registered with an agency of this State and that are subject to
8 the tax on lease receipts under this Act, notwithstanding any
9 other provision of this Act to the contrary, for the purpose of
10 reporting and paying tax under this Act on those lease
11 receipts, lessors shall file returns in addition to and
12 separate from the transaction reporting return. Lessors shall
13 file those lease returns and make payment to the Department by
14 electronic means on or before the 20th day of each month
15 following the month, quarter, or year, as applicable, in which
16 lease receipts were received. All lease receipts received by
17 the lessor from the lease of those trailers during the same
18 reporting period shall be reported and tax shall be paid on a
19 single return form to be prescribed by the Department.

20 Refunds made by the seller during the preceding return
21 period to purchasers, on account of tangible personal property
22 returned to the seller, shall be allowed as a deduction under
23 subdivision 5 of his monthly or quarterly return, as the case
24 may be, in case the seller had theretofore included the
25 receipts from the sale of such tangible personal property in a
26 return filed by him and had paid the tax imposed by this Act

1 with respect to such receipts.

2 Where the seller is a corporation, the return filed on
3 behalf of such corporation shall be signed by the president,
4 vice-president, secretary, or treasurer or by the properly
5 accredited agent of such corporation.

6 Where the seller is a limited liability company, the
7 return filed on behalf of the limited liability company shall
8 be signed by a manager, member, or properly accredited agent
9 of the limited liability company.

10 Except as provided in this Section, the retailer filing
11 the return under this Section shall, at the time of filing such
12 return, pay to the Department the amount of tax imposed by this
13 Act less a discount of 2.1% prior to January 1, 1990 and 1.75%
14 on and after January 1, 1990, or \$5 per calendar year,
15 whichever is greater, which is allowed to reimburse the
16 retailer for the expenses incurred in keeping records,
17 preparing and filing returns, remitting the tax and supplying
18 data to the Department on request. A ~~a~~ certified service
19 provider, as defined in the Leveling the Playing Field for
20 Illinois Retail Act, filing the return under this Section on
21 behalf of a remote retailer or a retailer maintaining a place
22 of business in this State shall, at the time of such return,
23 pay to the Department the amount of tax imposed by this Act
24 less a discount of 1.75%. A remote retailer or a retailer
25 maintaining a place of business in this State using a
26 certified service provider to file a return on its behalf, as

1 provided in the Leveling the Playing Field for Illinois Retail
2 Act, is not eligible for the discount. Beginning with returns
3 due on or after January 1, 2025, the vendor's discount allowed
4 in this Section, the Service Occupation Tax Act, the Use Tax
5 Act, and the Service Use Tax Act, including any local tax
6 administered by the Department and reported on the same
7 return, shall not exceed \$1,000 per month in the aggregate for
8 returns other than transaction returns filed during the month.
9 When determining the discount allowed under this Section,
10 retailers shall include the amount of tax that would have been
11 due at the 1% rate but for the 0% rate imposed under Public Act
12 102-700. When determining the discount allowed under this
13 Section, retailers shall include the amount of tax that would
14 have been due at the 6.25% rate but for the 1.25% rate imposed
15 on sales tax holiday items under Public Act 102-700. The
16 discount under this Section is not allowed for the 1.25%
17 portion of taxes paid on aviation fuel that is subject to the
18 revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C.
19 47133. Any prepayment made pursuant to Section 2d of this Act
20 shall be included in the amount on which such discount is
21 computed. In the case of retailers who report and pay the tax
22 on a transaction by transaction basis, as provided in this
23 Section, such discount shall be taken with each such tax
24 remittance instead of when such retailer files his periodic
25 return, but, beginning with returns due on or after January 1,
26 2025, the vendor's discount allowed under this Section and the

1 Use Tax Act, including any local tax administered by the
2 Department and reported on the same transaction return, shall
3 not exceed \$1,000 per month for all transaction returns filed
4 during the month. The discount allowed under this Section is
5 allowed only for returns that are filed in the manner required
6 by this Act. The Department may disallow the discount for
7 retailers whose certificate of registration is revoked at the
8 time the return is filed, but only if the Department's
9 decision to revoke the certificate of registration has become
10 final.

11 Before October 1, 2000, if the taxpayer's average monthly
12 tax liability to the Department under this Act, the Use Tax
13 Act, the Service Occupation Tax Act, and the Service Use Tax
14 Act, excluding any liability for prepaid sales tax to be
15 remitted in accordance with Section 2d of this Act, was
16 \$10,000 or more during the preceding 4 complete calendar
17 quarters, he shall file a return with the Department each
18 month by the 20th day of the month next following the month
19 during which such tax liability is incurred and shall make
20 payments to the Department on or before the 7th, 15th, 22nd and
21 last day of the month during which such liability is incurred.
22 On and after October 1, 2000, if the taxpayer's average
23 monthly tax liability to the Department under this Act, the
24 Use Tax Act, the Service Occupation Tax Act, and the Service
25 Use Tax Act, excluding any liability for prepaid sales tax to
26 be remitted in accordance with Section 2d of this Act, was

1 \$20,000 or more during the preceding 4 complete calendar
2 quarters, he shall file a return with the Department each
3 month by the 20th day of the month next following the month
4 during which such tax liability is incurred and shall make
5 payment to the Department on or before the 7th, 15th, 22nd and
6 last day of the month during which such liability is incurred.
7 If the month during which such tax liability is incurred began
8 prior to January 1, 1985, each payment shall be in an amount
9 equal to 1/4 of the taxpayer's actual liability for the month
10 or an amount set by the Department not to exceed 1/4 of the
11 average monthly liability of the taxpayer to the Department
12 for the preceding 4 complete calendar quarters (excluding the
13 month of highest liability and the month of lowest liability
14 in such 4 quarter period). If the month during which such tax
15 liability is incurred begins on or after January 1, 1985 and
16 prior to January 1, 1987, each payment shall be in an amount
17 equal to 22.5% of the taxpayer's actual liability for the
18 month or 27.5% of the taxpayer's liability for the same
19 calendar month of the preceding year. If the month during
20 which such tax liability is incurred begins on or after
21 January 1, 1987 and prior to January 1, 1988, each payment
22 shall be in an amount equal to 22.5% of the taxpayer's actual
23 liability for the month or 26.25% of the taxpayer's liability
24 for the same calendar month of the preceding year. If the month
25 during which such tax liability is incurred begins on or after
26 January 1, 1988, and prior to January 1, 1989, or begins on or

1 after January 1, 1996, each payment shall be in an amount equal
2 to 22.5% of the taxpayer's actual liability for the month or
3 25% of the taxpayer's liability for the same calendar month of
4 the preceding year. If the month during which such tax
5 liability is incurred begins on or after January 1, 1989, and
6 prior to January 1, 1996, each payment shall be in an amount
7 equal to 22.5% of the taxpayer's actual liability for the
8 month or 25% of the taxpayer's liability for the same calendar
9 month of the preceding year or 100% of the taxpayer's actual
10 liability for the quarter monthly reporting period. The amount
11 of such quarter monthly payments shall be credited against the
12 final tax liability of the taxpayer's return for that month.
13 Before October 1, 2000, once applicable, the requirement of
14 the making of quarter monthly payments to the Department by
15 taxpayers having an average monthly tax liability of \$10,000
16 or more as determined in the manner provided above shall
17 continue until such taxpayer's average monthly liability to
18 the Department during the preceding 4 complete calendar
19 quarters (excluding the month of highest liability and the
20 month of lowest liability) is less than \$9,000, or until such
21 taxpayer's average monthly liability to the Department as
22 computed for each calendar quarter of the 4 preceding complete
23 calendar quarter period is less than \$10,000. However, if a
24 taxpayer can show the Department that a substantial change in
25 the taxpayer's business has occurred which causes the taxpayer
26 to anticipate that his average monthly tax liability for the

1 reasonably foreseeable future will fall below the \$10,000
2 threshold stated above, then such taxpayer may petition the
3 Department for a change in such taxpayer's reporting status.
4 On and after October 1, 2000, once applicable, the requirement
5 of the making of quarter monthly payments to the Department by
6 taxpayers having an average monthly tax liability of \$20,000
7 or more as determined in the manner provided above shall
8 continue until such taxpayer's average monthly liability to
9 the Department during the preceding 4 complete calendar
10 quarters (excluding the month of highest liability and the
11 month of lowest liability) is less than \$19,000 or until such
12 taxpayer's average monthly liability to the Department as
13 computed for each calendar quarter of the 4 preceding complete
14 calendar quarter period is less than \$20,000. However, if a
15 taxpayer can show the Department that a substantial change in
16 the taxpayer's business has occurred which causes the taxpayer
17 to anticipate that his average monthly tax liability for the
18 reasonably foreseeable future will fall below the \$20,000
19 threshold stated above, then such taxpayer may petition the
20 Department for a change in such taxpayer's reporting status.
21 The Department shall change such taxpayer's reporting status
22 unless it finds that such change is seasonal in nature and not
23 likely to be long term. Quarter monthly payment status shall
24 be determined under this paragraph as if the rate reduction to
25 0% in Public Act 102-700 on food for human consumption that is
26 to be consumed off the premises where it is sold (other than

1 alcoholic beverages, food consisting of or infused with adult
2 use cannabis, soft drinks, and food that has been prepared for
3 immediate consumption) had not occurred. For quarter monthly
4 payments due under this paragraph on or after July 1, 2023 and
5 through June 30, 2024, "25% of the taxpayer's liability for
6 the same calendar month of the preceding year" shall be
7 determined as if the rate reduction to 0% in Public Act 102-700
8 had not occurred. Quarter monthly payment status shall be
9 determined under this paragraph as if the rate reduction to
10 1.25% in Public Act 102-700 on sales tax holiday items had not
11 occurred. For quarter monthly payments due on or after July 1,
12 2023 and through June 30, 2024, "25% of the taxpayer's
13 liability for the same calendar month of the preceding year"
14 shall be determined as if the rate reduction to 1.25% in Public
15 Act 102-700 on sales tax holiday items had not occurred. If any
16 such quarter monthly payment is not paid at the time or in the
17 amount required by this Section, then the taxpayer shall be
18 liable for penalties and interest on the difference between
19 the minimum amount due as a payment and the amount of such
20 quarter monthly payment actually and timely paid, except
21 insofar as the taxpayer has previously made payments for that
22 month to the Department in excess of the minimum payments
23 previously due as provided in this Section. The Department
24 shall make reasonable rules and regulations to govern the
25 quarter monthly payment amount and quarter monthly payment
26 dates for taxpayers who file on other than a calendar monthly

1 basis.

2 The provisions of this paragraph apply before October 1,
3 2001. Without regard to whether a taxpayer is required to make
4 quarter monthly payments as specified above, any taxpayer who
5 is required by Section 2d of this Act to collect and remit
6 prepaid taxes and has collected prepaid taxes which average in
7 excess of \$25,000 per month during the preceding 2 complete
8 calendar quarters, shall file a return with the Department as
9 required by Section 2f and shall make payments to the
10 Department on or before the 7th, 15th, 22nd and last day of the
11 month during which such liability is incurred. If the month
12 during which such tax liability is incurred began prior to
13 September 1, 1985 (the effective date of Public Act 84-221),
14 each payment shall be in an amount not less than 22.5% of the
15 taxpayer's actual liability under Section 2d. If the month
16 during which such tax liability is incurred begins on or after
17 January 1, 1986, each payment shall be in an amount equal to
18 22.5% of the taxpayer's actual liability for the month or
19 27.5% of the taxpayer's liability for the same calendar month
20 of the preceding calendar year. If the month during which such
21 tax liability is incurred begins on or after January 1, 1987,
22 each payment shall be in an amount equal to 22.5% of the
23 taxpayer's actual liability for the month or 26.25% of the
24 taxpayer's liability for the same calendar month of the
25 preceding year. The amount of such quarter monthly payments
26 shall be credited against the final tax liability of the

1 taxpayer's return for that month filed under this Section or
2 Section 2f, as the case may be. Once applicable, the
3 requirement of the making of quarter monthly payments to the
4 Department pursuant to this paragraph shall continue until
5 such taxpayer's average monthly prepaid tax collections during
6 the preceding 2 complete calendar quarters is \$25,000 or less.
7 If any such quarter monthly payment is not paid at the time or
8 in the amount required, the taxpayer shall be liable for
9 penalties and interest on such difference, except insofar as
10 the taxpayer has previously made payments for that month in
11 excess of the minimum payments previously due.

12 The provisions of this paragraph apply on and after
13 October 1, 2001. Without regard to whether a taxpayer is
14 required to make quarter monthly payments as specified above,
15 any taxpayer who is required by Section 2d of this Act to
16 collect and remit prepaid taxes and has collected prepaid
17 taxes that average in excess of \$20,000 per month during the
18 preceding 4 complete calendar quarters shall file a return
19 with the Department as required by Section 2f and shall make
20 payments to the Department on or before the 7th, 15th, 22nd,
21 and last day of the month during which the liability is
22 incurred. Each payment shall be in an amount equal to 22.5% of
23 the taxpayer's actual liability for the month or 25% of the
24 taxpayer's liability for the same calendar month of the
25 preceding year. The amount of the quarter monthly payments
26 shall be credited against the final tax liability of the

1 taxpayer's return for that month filed under this Section or
2 Section 2f, as the case may be. Once applicable, the
3 requirement of the making of quarter monthly payments to the
4 Department pursuant to this paragraph shall continue until the
5 taxpayer's average monthly prepaid tax collections during the
6 preceding 4 complete calendar quarters (excluding the month of
7 highest liability and the month of lowest liability) is less
8 than \$19,000 or until such taxpayer's average monthly
9 liability to the Department as computed for each calendar
10 quarter of the 4 preceding complete calendar quarters is less
11 than \$20,000. If any such quarter monthly payment is not paid
12 at the time or in the amount required, the taxpayer shall be
13 liable for penalties and interest on such difference, except
14 insofar as the taxpayer has previously made payments for that
15 month in excess of the minimum payments previously due.

16 If any payment provided for in this Section exceeds the
17 taxpayer's liabilities under this Act, the Use Tax Act, the
18 Service Occupation Tax Act, and the Service Use Tax Act, as
19 shown on an original monthly return, the Department shall, if
20 requested by the taxpayer, issue to the taxpayer a credit
21 memorandum no later than 30 days after the date of payment. The
22 credit evidenced by such credit memorandum may be assigned by
23 the taxpayer to a similar taxpayer under this Act, the Use Tax
24 Act, the Service Occupation Tax Act, or the Service Use Tax
25 Act, in accordance with reasonable rules and regulations to be
26 prescribed by the Department. If no such request is made, the

1 taxpayer may credit such excess payment against tax liability
2 subsequently to be remitted to the Department under this Act,
3 the Use Tax Act, the Service Occupation Tax Act, or the Service
4 Use Tax Act, in accordance with reasonable rules and
5 regulations prescribed by the Department. If the Department
6 subsequently determined that all or any part of the credit
7 taken was not actually due to the taxpayer, the taxpayer's
8 vendor's discount shall be reduced, if necessary, to reflect
9 the difference between the credit taken and that actually due,
10 and that taxpayer shall be liable for penalties and interest
11 on such difference.

12 If a retailer of motor fuel is entitled to a credit under
13 Section 2d of this Act which exceeds the taxpayer's liability
14 to the Department under this Act for the month for which the
15 taxpayer is filing a return, the Department shall issue the
16 taxpayer a credit memorandum for the excess.

17 The net revenue realized at the 15% rate under either
18 Section 4 or Section 5 of this Act shall be deposited as
19 follows: (i) notwithstanding the provisions of this Section to
20 the contrary, the net revenue realized from the portion of the
21 rate in excess of 5% shall be deposited into the State and
22 Local Sales Tax Reform Fund; and (ii) the net revenue realized
23 from the 5% portion of the rate shall be deposited as provided
24 in this Section for the 5% portion of the 6.25% general rate
25 imposed under this Act.

26 Beginning January 1, 1990, each month the Department shall

1 pay into the Local Government Tax Fund, a special fund in the
2 State treasury which is hereby created, the net revenue
3 realized for the preceding month from the 1% tax imposed under
4 this Act.

5 Beginning January 1, 1990, each month the Department shall
6 pay into the County and Mass Transit District Fund, a special
7 fund in the State treasury which is hereby created, 4% of the
8 net revenue realized for the preceding month from the 6.25%
9 general rate other than aviation fuel sold on or after
10 December 1, 2019. This exception for aviation fuel only
11 applies for so long as the revenue use requirements of 49
12 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

13 Beginning August 1, 2000, each month the Department shall
14 pay into the County and Mass Transit District Fund 20% of the
15 net revenue realized for the preceding month from the 1.25%
16 rate on the selling price of motor fuel and gasohol. If, in any
17 month, the tax on sales tax holiday items, as defined in
18 Section 2-8, is imposed at the rate of 1.25%, then the
19 Department shall pay 20% of the net revenue realized for that
20 month from the 1.25% rate on the selling price of sales tax
21 holiday items into the County and Mass Transit District Fund.

22 Beginning January 1, 1990, each month the Department shall
23 pay into the Local Government Tax Fund 16% of the net revenue
24 realized for the preceding month from the 6.25% general rate
25 on the selling price of tangible personal property other than
26 aviation fuel sold on or after December 1, 2019. This

1 exception for aviation fuel only applies for so long as the
2 revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C.
3 47133 are binding on the State.

4 For aviation fuel sold on or after December 1, 2019, each
5 month the Department shall pay into the State Aviation Program
6 Fund 20% of the net revenue realized for the preceding month
7 from the 6.25% general rate on the selling price of aviation
8 fuel, less an amount estimated by the Department to be
9 required for refunds of the 20% portion of the tax on aviation
10 fuel under this Act, which amount shall be deposited into the
11 Aviation Fuel Sales Tax Refund Fund. The Department shall only
12 pay moneys into the State Aviation Program Fund and the
13 Aviation Fuel Sales Tax Refund Fund under this Act for so long
14 as the revenue use requirements of 49 U.S.C. 47107(b) and 49
15 U.S.C. 47133 are binding on the State.

16 Beginning August 1, 2000, each month the Department shall
17 pay into the Local Government Tax Fund 80% of the net revenue
18 realized for the preceding month from the 1.25% rate on the
19 selling price of motor fuel and gasohol. If, in any month, the
20 tax on sales tax holiday items, as defined in Section 2-8, is
21 imposed at the rate of 1.25%, then the Department shall pay 80%
22 of the net revenue realized for that month from the 1.25% rate
23 on the selling price of sales tax holiday items into the Local
24 Government Tax Fund.

25 Beginning October 1, 2009, each month the Department shall
26 pay into the Capital Projects Fund an amount that is equal to

1 an amount estimated by the Department to represent 80% of the
2 net revenue realized for the preceding month from the sale of
3 candy, grooming and hygiene products, and soft drinks that had
4 been taxed at a rate of 1% prior to September 1, 2009 but that
5 are now taxed at 6.25%.

6 Beginning July 1, 2011, each month the Department shall
7 pay into the Clean Air Act Permit Fund 80% of the net revenue
8 realized for the preceding month from the 6.25% general rate
9 on the selling price of sorbents used in Illinois in the
10 process of sorbent injection as used to comply with the
11 Environmental Protection Act or the federal Clean Air Act, but
12 the total payment into the Clean Air Act Permit Fund under this
13 Act and the Use Tax Act shall not exceed \$2,000,000 in any
14 fiscal year.

15 Beginning July 1, 2013, each month the Department shall
16 pay into the Underground Storage Tank Fund from the proceeds
17 collected under this Act, the Use Tax Act, the Service Use Tax
18 Act, and the Service Occupation Tax Act an amount equal to the
19 average monthly deficit in the Underground Storage Tank Fund
20 during the prior year, as certified annually by the Illinois
21 Environmental Protection Agency, but the total payment into
22 the Underground Storage Tank Fund under this Act, the Use Tax
23 Act, the Service Use Tax Act, and the Service Occupation Tax
24 Act shall not exceed \$18,000,000 in any State fiscal year. As
25 used in this paragraph, the "average monthly deficit" shall be
26 equal to the difference between the average monthly claims for

1 payment by the fund and the average monthly revenues deposited
2 into the fund, excluding payments made pursuant to this
3 paragraph.

4 Beginning July 1, 2015, of the remainder of the moneys
5 received by the Department under the Use Tax Act, the Service
6 Use Tax Act, the Service Occupation Tax Act, and this Act, each
7 month the Department shall deposit \$500,000 into the State
8 Crime Laboratory Fund.

9 Beginning February 1, 2027, each month the Department
10 shall pay into the Local Government Tax Fund 80% of the net
11 revenue realized for the preceding month from the 1.25% rate
12 on the selling price of clothing with a selling price of less
13 than \$100.

14 Beginning February 1, 2027, each month the Department
15 shall pay into the County and Mass Transit District Fund 20% of
16 the net revenue realized for the preceding month from the
17 1.25% rate on the selling price of clothing with a selling
18 price of less than \$100.

19 Of the remainder of the moneys received by the Department
20 pursuant to this Act, (a) 1.75% thereof shall be paid into the
21 Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on
22 and after July 1, 1989, 3.8% thereof shall be paid into the
23 Build Illinois Fund; provided, however, that if in any fiscal
24 year the sum of (1) the aggregate of 2.2% or 3.8%, as the case
25 may be, of the moneys received by the Department and required
26 to be paid into the Build Illinois Fund pursuant to this Act,

1 Section 9 of the Use Tax Act, Section 9 of the Service Use Tax
2 Act, and Section 9 of the Service Occupation Tax Act, such Acts
3 being hereinafter called the "Tax Acts" and such aggregate of
4 2.2% or 3.8%, as the case may be, of moneys being hereinafter
5 called the "Tax Act Amount", and (2) the amount transferred to
6 the Build Illinois Fund from the State and Local Sales Tax
7 Reform Fund shall be less than the Annual Specified Amount (as
8 hereinafter defined), an amount equal to the difference shall
9 be immediately paid into the Build Illinois Fund from other
10 moneys received by the Department pursuant to the Tax Acts;
11 the "Annual Specified Amount" means the amounts specified
12 below for fiscal years 1986 through 1993:

13	Fiscal Year	Annual Specified Amount
14	1986	\$54,800,000
15	1987	\$76,650,000
16	1988	\$80,480,000
17	1989	\$88,510,000
18	1990	\$115,330,000
19	1991	\$145,470,000
20	1992	\$182,730,000
21	1993	\$206,520,000;

22 and means the Certified Annual Debt Service Requirement (as
23 defined in Section 13 of the Build Illinois Bond Act) or the
24 Tax Act Amount, whichever is greater, for fiscal year 1994 and
25 each fiscal year thereafter; and further provided, that if on
26 the last business day of any month the sum of (1) the Tax Act

1 Amount required to be deposited into the Build Illinois Bond
2 Account in the Build Illinois Fund during such month and (2)
3 the amount transferred to the Build Illinois Fund from the
4 State and Local Sales Tax Reform Fund shall have been less than
5 1/12 of the Annual Specified Amount, an amount equal to the
6 difference shall be immediately paid into the Build Illinois
7 Fund from other moneys received by the Department pursuant to
8 the Tax Acts; and, further provided, that in no event shall the
9 payments required under the preceding proviso result in
10 aggregate payments into the Build Illinois Fund pursuant to
11 this clause (b) for any fiscal year in excess of the greater of
12 (i) the Tax Act Amount or (ii) the Annual Specified Amount for
13 such fiscal year. The amounts payable into the Build Illinois
14 Fund under clause (b) of the first sentence in this paragraph
15 shall be payable only until such time as the aggregate amount
16 on deposit under each trust indenture securing Bonds issued
17 and outstanding pursuant to the Build Illinois Bond Act is
18 sufficient, taking into account any future investment income,
19 to fully provide, in accordance with such indenture, for the
20 defeasance of or the payment of the principal of, premium, if
21 any, and interest on the Bonds secured by such indenture and on
22 any Bonds expected to be issued thereafter and all fees and
23 costs payable with respect thereto, all as certified by the
24 Director of the Bureau of the Budget (now Governor's Office of
25 Management and Budget). If on the last business day of any
26 month in which Bonds are outstanding pursuant to the Build

1 Illinois Bond Act, the aggregate of moneys deposited into ~~in~~
2 the Build Illinois Bond Account in the Build Illinois Fund in
3 such month shall be less than the amount required to be
4 transferred in such month from the Build Illinois Bond Account
5 to the Build Illinois Bond Retirement and Interest Fund
6 pursuant to Section 13 of the Build Illinois Bond Act, an
7 amount equal to such deficiency shall be immediately paid from
8 other moneys received by the Department pursuant to the Tax
9 Acts to the Build Illinois Fund; provided, however, that any
10 amounts paid to the Build Illinois Fund in any fiscal year
11 pursuant to this sentence shall be deemed to constitute
12 payments pursuant to clause (b) of the first sentence of this
13 paragraph and shall reduce the amount otherwise payable for
14 such fiscal year pursuant to that clause (b). The moneys
15 received by the Department pursuant to this Act and required
16 to be deposited into the Build Illinois Fund are subject to the
17 pledge, claim and charge set forth in Section 12 of the Build
18 Illinois Bond Act.

19 Subject to payment of amounts into the Build Illinois Fund
20 as provided in the preceding paragraph or in any amendment
21 thereto hereafter enacted, the following specified monthly
22 installment of the amount requested in the certificate of the
23 Chairman of the Metropolitan Pier and Exposition Authority
24 provided under Section 8.25f of the State Finance Act, but not
25 in excess of sums designated as "Total Deposit", shall be
26 deposited in the aggregate from collections under Section 9 of

1 the Use Tax Act, Section 9 of the Service Use Tax Act, Section
 2 9 of the Service Occupation Tax Act, and Section 3 of the
 3 Retailers' Occupation Tax Act into the McCormick Place
 4 Expansion Project Fund in the specified fiscal years.

	Fiscal Year	Total Deposit
6	1993	\$0
7	1994	53,000,000
8	1995	58,000,000
9	1996	61,000,000
10	1997	64,000,000
11	1998	68,000,000
12	1999	71,000,000
13	2000	75,000,000
14	2001	80,000,000
15	2002	93,000,000
16	2003	99,000,000
17	2004	103,000,000
18	2005	108,000,000
19	2006	113,000,000
20	2007	119,000,000
21	2008	126,000,000
22	2009	132,000,000
23	2010	139,000,000
24	2011	146,000,000
25	2012	153,000,000
26	2013	161,000,000

1	2014	170,000,000
2	2015	179,000,000
3	2016	189,000,000
4	2017	199,000,000
5	2018	210,000,000
6	2019	221,000,000
7	2020	233,000,000
8	2021	300,000,000
9	2022	300,000,000
10	2023	300,000,000
11	2024	300,000,000
12	2025	300,000,000
13	2026	300,000,000
14	2027	375,000,000
15	2028	375,000,000
16	2029	375,000,000
17	2030	375,000,000
18	2031	375,000,000
19	2032	375,000,000
20	2033	375,000,000
21	2034	375,000,000
22	2035	375,000,000
23	2036	450,000,000
24	and	
25	each fiscal year	
26	thereafter that bonds	

1 are outstanding under
2 Section 13.2 of the
3 Metropolitan Pier and
4 Exposition Authority Act,
5 but not after fiscal year 2060.

6 Beginning July 20, 1993 and in each month of each fiscal
7 year thereafter, one-eighth of the amount requested in the
8 certificate of the Chairman of the Metropolitan Pier and
9 Exposition Authority for that fiscal year, less the amount
10 deposited into the McCormick Place Expansion Project Fund by
11 the State Treasurer in the respective month under subsection
12 (g) of Section 13 of the Metropolitan Pier and Exposition
13 Authority Act, plus cumulative deficiencies in the deposits
14 required under this Section for previous months and years,
15 shall be deposited into the McCormick Place Expansion Project
16 Fund, until the full amount requested for the fiscal year, but
17 not in excess of the amount specified above as "Total
18 Deposit", has been deposited.

19 Subject to payment of amounts into the Capital Projects
20 Fund, the Clean Air Act Permit Fund, the Build Illinois Fund,
21 and the McCormick Place Expansion Project Fund pursuant to the
22 preceding paragraphs or in any amendments thereto hereafter
23 enacted, for aviation fuel sold on or after December 1, 2019,
24 the Department shall each month deposit into the Aviation Fuel
25 Sales Tax Refund Fund an amount estimated by the Department to
26 be required for refunds of the 80% portion of the tax on

1 aviation fuel under this Act. The Department shall only
2 deposit moneys into the Aviation Fuel Sales Tax Refund Fund
3 under this paragraph for so long as the revenue use
4 requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are
5 binding on the State.

6 Subject to payment of amounts into the Build Illinois Fund
7 and the McCormick Place Expansion Project Fund pursuant to the
8 preceding paragraphs or in any amendments thereto hereafter
9 enacted, beginning July 1, 1993 and ending on September 30,
10 2013, the Department shall each month pay into the Illinois
11 Tax Increment Fund 0.27% of 80% of the net revenue realized for
12 the preceding month from the 6.25% general rate on the selling
13 price of tangible personal property.

14 Subject to payment of amounts into the Build Illinois
15 Fund, the McCormick Place Expansion Project Fund, and the
16 Illinois Tax Increment Fund pursuant to the preceding
17 paragraphs or in any amendments to this Section hereafter
18 enacted, beginning on the first day of the first calendar
19 month to occur on or after August 26, 2014 (the effective date
20 of Public Act 98-1098), each month, from the collections made
21 under Section 9 of the Use Tax Act, Section 9 of the Service
22 Use Tax Act, Section 9 of the Service Occupation Tax Act, and
23 Section 3 of the Retailers' Occupation Tax Act, the Department
24 shall pay into the Tax Compliance and Administration Fund, to
25 be used, subject to appropriation, to fund additional auditors
26 and compliance personnel at the Department of Revenue, an

1 amount equal to 1/12 of 5% of 80% of the cash receipts
2 collected during the preceding fiscal year by the Audit Bureau
3 of the Department under the Use Tax Act, the Service Use Tax
4 Act, the Service Occupation Tax Act, the Retailers' Occupation
5 Tax Act, and associated local occupation and use taxes
6 administered by the Department.

7 Subject to payments of amounts into the Build Illinois
8 Fund, the McCormick Place Expansion Project Fund, the Illinois
9 Tax Increment Fund, the Energy Infrastructure Fund, and the
10 Tax Compliance and Administration Fund as provided in this
11 Section, beginning on July 1, 2018 the Department shall pay
12 each month into the Downstate Public Transportation Fund the
13 moneys required to be so paid under Section 2-3 of the
14 Downstate Public Transportation Act.

15 Subject to successful execution and delivery of a
16 public-private agreement between the public agency and private
17 entity and completion of the civic build, beginning on July 1,
18 2023, of the remainder of the moneys received by the
19 Department under the Use Tax Act, the Service Use Tax Act, the
20 Service Occupation Tax Act, and this Act, the Department shall
21 deposit the following specified deposits in the aggregate from
22 collections under the Use Tax Act, the Service Use Tax Act, the
23 Service Occupation Tax Act, and the Retailers' Occupation Tax
24 Act, as required under Section 8.25g of the State Finance Act
25 for distribution consistent with the Public-Private
26 Partnership for Civic and Transit Infrastructure Project Act.

1 The moneys received by the Department pursuant to this Act and
 2 required to be deposited into the Civic and Transit
 3 Infrastructure Fund are subject to the pledge, claim and
 4 charge set forth in Section 25-55 of the Public-Private
 5 Partnership for Civic and Transit Infrastructure Project Act.
 6 As used in this paragraph, "civic build", "private entity",
 7 "public-private agreement", and "public agency" have the
 8 meanings provided in Section 25-10 of the Public-Private
 9 Partnership for Civic and Transit Infrastructure Project Act.

10	Fiscal Year.....	Total Deposit
11	2024	\$200,000,000
12	2025	\$206,000,000
13	2026	\$212,200,000
14	2027	\$218,500,000
15	2028	\$225,100,000
16	2029	\$288,700,000
17	2030	\$298,900,000
18	2031	\$309,300,000
19	2032	\$320,100,000
20	2033	\$331,200,000
21	2034	\$341,200,000
22	2035	\$351,400,000
23	2036	\$361,900,000
24	2037	\$372,800,000
25	2038	\$384,000,000
26	2039	\$395,500,000

1	2040	.....	\$407,400,000
2	2041	.....	\$419,600,000
3	2042	.....	\$432,200,000
4	2043	.....	\$445,100,000

5 Beginning July 1, 2021 and until July 1, 2022, subject to
6 the payment of amounts into the County and Mass Transit
7 District Fund, the Local Government Tax Fund, the Build
8 Illinois Fund, the McCormick Place Expansion Project Fund, the
9 Illinois Tax Increment Fund, and the Tax Compliance and
10 Administration Fund as provided in this Section, the
11 Department shall pay each month into the Road Fund the amount
12 estimated to represent 16% of the net revenue realized from
13 the taxes imposed on motor fuel and gasohol. Beginning July 1,
14 2022 and until July 1, 2023, subject to the payment of amounts
15 into the County and Mass Transit District Fund, the Local
16 Government Tax Fund, the Build Illinois Fund, the McCormick
17 Place Expansion Project Fund, the Illinois Tax Increment Fund,
18 and the Tax Compliance and Administration Fund as provided in
19 this Section, the Department shall pay each month into the
20 Road Fund the amount estimated to represent 32% of the net
21 revenue realized from the taxes imposed on motor fuel and
22 gasohol. Beginning July 1, 2023 and until July 1, 2024,
23 subject to the payment of amounts into the County and Mass
24 Transit District Fund, the Local Government Tax Fund, the
25 Build Illinois Fund, the McCormick Place Expansion Project
26 Fund, the Illinois Tax Increment Fund, and the Tax Compliance

1 and Administration Fund as provided in this Section, the
2 Department shall pay each month into the Road Fund the amount
3 estimated to represent 48% of the net revenue realized from
4 the taxes imposed on motor fuel and gasohol. Beginning July 1,
5 2024 and until July 1, 2026, subject to the payment of amounts
6 into the County and Mass Transit District Fund, the Local
7 Government Tax Fund, the Build Illinois Fund, the McCormick
8 Place Expansion Project Fund, the Illinois Tax Increment Fund,
9 and the Tax Compliance and Administration Fund as provided in
10 this Section, the Department shall pay each month into the
11 Road Fund the amount estimated to represent 64% of the net
12 revenue realized from the taxes imposed on motor fuel and
13 gasohol. Beginning on July 1, 2026, subject to the payment of
14 amounts into the County and Mass Transit District Fund, the
15 Local Government Tax Fund, the Build Illinois Fund, the
16 McCormick Place Expansion Project Fund, the Illinois Tax
17 Increment Fund, and the Tax Compliance and Administration Fund
18 as provided in this Section, the Department shall pay each
19 month into the Road Fund the amount estimated to represent 80%
20 of the net revenue realized from the taxes imposed on motor
21 fuel and gasohol. As used in this paragraph "motor fuel" has
22 the meaning given to that term in Section 1.1 of the Motor Fuel
23 Tax Law, and "gasohol" has the meaning given to that term in
24 Section 3-40 of the Use Tax Act.

25 Until July 1, 2025, of the remainder of the moneys
26 received by the Department pursuant to this Act, 75% thereof

1 shall be paid into the State treasury and 25% shall be reserved
2 in a special account and used only for the transfer to the
3 Common School Fund as part of the monthly transfer from the
4 General Revenue Fund in accordance with Section 8a of the
5 State Finance Act. Beginning July 1, 2025, of the remainder of
6 the moneys received by the Department pursuant to this Act,
7 75% shall be deposited into the General Revenue Fund and 25%
8 shall be deposited into the Common School Fund.

9 The Department may, upon separate written notice to a
10 taxpayer, require the taxpayer to prepare and file with the
11 Department on a form prescribed by the Department within not
12 less than 60 days after receipt of the notice an annual
13 information return for the tax year specified in the notice.
14 Such annual return to the Department shall include a statement
15 of gross receipts as shown by the retailer's last federal
16 income tax return. If the total receipts of the business as
17 reported in the federal income tax return do not agree with the
18 gross receipts reported to the Department of Revenue for the
19 same period, the retailer shall attach to his annual return a
20 schedule showing a reconciliation of the 2 amounts and the
21 reasons for the difference. The retailer's annual return to
22 the Department shall also disclose the cost of goods sold by
23 the retailer during the year covered by such return, opening
24 and closing inventories of such goods for such year, costs of
25 goods used from stock or taken from stock and given away by the
26 retailer during such year, payroll information of the

1 retailer's business during such year and any additional
2 reasonable information which the Department deems would be
3 helpful in determining the accuracy of the monthly, quarterly,
4 or annual returns filed by such retailer as provided for in
5 this Section.

6 If the annual information return required by this Section
7 is not filed when and as required, the taxpayer shall be liable
8 as follows:

9 (i) Until January 1, 1994, the taxpayer shall be
10 liable for a penalty equal to 1/6 of 1% of the tax due from
11 such taxpayer under this Act during the period to be
12 covered by the annual return for each month or fraction of
13 a month until such return is filed as required, the
14 penalty to be assessed and collected in the same manner as
15 any other penalty provided for in this Act.

16 (ii) On and after January 1, 1994, the taxpayer shall
17 be liable for a penalty as described in Section 3-4 of the
18 Uniform Penalty and Interest Act.

19 The chief executive officer, proprietor, owner, or highest
20 ranking manager shall sign the annual return to certify the
21 accuracy of the information contained therein. Any person who
22 willfully signs the annual return containing false or
23 inaccurate information shall be guilty of perjury and punished
24 accordingly. The annual return form prescribed by the
25 Department shall include a warning that the person signing the
26 return may be liable for perjury.

1 The provisions of this Section concerning the filing of an
2 annual information return do not apply to a retailer who is not
3 required to file an income tax return with the United States
4 Government.

5 As soon as possible after the first day of each month, upon
6 certification of the Department of Revenue, the Comptroller
7 shall order transferred and the Treasurer shall transfer from
8 the General Revenue Fund to the Motor Fuel Tax Fund an amount
9 equal to 1.7% of 80% of the net revenue realized under this Act
10 for the second preceding month. Beginning April 1, 2000, this
11 transfer is no longer required and shall not be made.

12 Net revenue realized for a month shall be the revenue
13 collected by the State pursuant to this Act, less the amount
14 paid out during that month as refunds to taxpayers for
15 overpayment of liability.

16 For greater simplicity of administration, manufacturers,
17 importers and wholesalers whose products are sold at retail in
18 Illinois by numerous retailers, and who wish to do so, may
19 assume the responsibility for accounting and paying to the
20 Department all tax accruing under this Act with respect to
21 such sales, if the retailers who are affected do not make
22 written objection to the Department to this arrangement.

23 Any person who promotes, organizes, or provides retail
24 selling space for concessionaires or other types of sellers at
25 the Illinois State Fair, DuQuoin State Fair, county fairs,
26 local fairs, art shows, flea markets, and similar exhibitions

1 or events, including any transient merchant as defined by
2 Section 2 of the Transient Merchant Act of 1987, is required to
3 file a report with the Department providing the name of the
4 merchant's business, the name of the person or persons engaged
5 in merchant's business, the permanent address and Illinois
6 Retailers Occupation Tax Registration Number of the merchant,
7 the dates and location of the event, and other reasonable
8 information that the Department may require. The report must
9 be filed not later than the 20th day of the month next
10 following the month during which the event with retail sales
11 was held. Any person who fails to file a report required by
12 this Section commits a business offense and is subject to a
13 fine not to exceed \$250.

14 Any person engaged in the business of selling tangible
15 personal property at retail as a concessionaire or other type
16 of seller at the Illinois State Fair, county fairs, art shows,
17 flea markets, and similar exhibitions or events, or any
18 transient merchants, as defined by Section 2 of the Transient
19 Merchant Act of 1987, may be required to make a daily report of
20 the amount of such sales to the Department and to make a daily
21 payment of the full amount of tax due. The Department shall
22 impose this requirement when it finds that there is a
23 significant risk of loss of revenue to the State at such an
24 exhibition or event. Such a finding shall be based on evidence
25 that a substantial number of concessionaires or other sellers
26 who are not residents of Illinois will be engaging in the

1 business of selling tangible personal property at retail at
2 the exhibition or event, or other evidence of a significant
3 risk of loss of revenue to the State. The Department shall
4 notify concessionaires and other sellers affected by the
5 imposition of this requirement. In the absence of notification
6 by the Department, the concessionaires and other sellers shall
7 file their returns as otherwise required in this Section.

8 (Source: P.A. 103-9, eff. 6-7-23; 103-154, eff. 6-30-23;
9 103-363, eff. 7-28-23; 103-592, Article 75, Section 75-20,
10 eff. 1-1-25; 103-592, Article 110, Section 110-20, eff.
11 6-7-24; 103-605, eff. 7-1-24; 103-1055, eff. 12-20-24; 104-6,
12 Article 5, Section 5-25, eff. 6-16-25; 104-6, Article 25,
13 Section 25-20, eff. 6-16-25; 104-6, Article 35, Section 35-35,
14 eff. 6-16-25; revised 7-21-25.)