



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3283

Introduced 2/3/2026, by Sen. Donald P. DeWitte

SYNOPSIS AS INTRODUCED:

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

Amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act. Provides that, beginning on July 1, 2026, the 1% rate of tax on modifications to a motor vehicle for the purpose of rendering the motor vehicle usable by a person with a disability applies to tangible personal property that is installed in or on a motor vehicle before, during, or after the purchase of the motor vehicle for the purpose of rendering the motor vehicle usable by a person with a disability. Provides that the 1% rate of tax on that property applies only if the tangible personal property is separately itemized on the bill or invoice for the sale of the motor vehicle or if the tangible personal property is purchased separately from the motor vehicle and is separately itemized on a bill or invoice. Effective immediately.

LRB104 19194 HLH 32639 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 Section
5 3-10 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 With respect to gasohol, the tax imposed by this Act
16 applies to (i) 70% of the proceeds of sales made on or after
17 January 1, 1990, and before July 1, 2003, (ii) 80% of the
18 proceeds of sales made on or after July 1, 2003 and on or
19 before July 1, 2017, (iii) 100% of the proceeds of sales made
20 after July 1, 2017 and prior to January 1, 2024, (iv) 90% of
21 the proceeds of sales made on or after January 1, 2024 and on
22 or before December 31, 2028, and (v) 100% of the proceeds of
23 sales made after December 31, 2028. If, at any time, however,
24 the tax under this Act on sales of gasohol is imposed at the
25 rate of 1.25%, then the tax imposed by this Act applies to 100%
26 of the proceeds of sales of gasohol made during that time.

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

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

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

1 biodiesel made during that time.

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

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

1 With respect to prescription and nonprescription
2 medicines, drugs, medical appliances, products classified as
3 Class III medical devices by the United States Food and Drug
4 Administration that are used for cancer treatment pursuant to
5 a prescription, as well as any accessories and components
6 related to those devices, modifications to a motor vehicle for
7 the purpose of rendering it usable by a person with a
8 disability, and insulin, blood sugar testing materials,
9 syringes, and needles used by human diabetics, the tax is
10 imposed at the rate of 1%. Beginning on July 1, 2026, the 1%
11 rate of tax on modifications to a motor vehicle for the purpose
12 of rendering the motor vehicle usable by a person with a
13 disability applies to tangible personal property that is
14 installed in or on a motor vehicle before, during, or after the
15 purchase of the motor vehicle for the purpose of rendering the
16 motor vehicle usable by a person with a disability; however,
17 that 1% rate of tax applies only if the tangible personal
18 property is separately itemized on the bill or invoice for the
19 sale of the motor vehicle or if the tangible personal property
20 is purchased separately from the motor vehicle and is
21 separately itemized on a bill or invoice. For the purposes of
22 this Section, until September 1, 2009: the term "soft drinks"
23 means any complete, finished, ready-to-use, non-alcoholic
24 drink, whether carbonated or not, including, but not limited
25 to, soda water, cola, fruit juice, vegetable juice, carbonated
26 water, and all other preparations commonly known as soft

1 drinks of whatever kind or description that are contained in
2 any closed or sealed bottle, can, carton, or container,
3 regardless of size; but "soft drinks" does not include coffee,
4 tea, non-carbonated water, infant formula, milk or milk
5 products as defined in the Grade A Pasteurized Milk and Milk
6 Products Act, or drinks containing 50% or more natural fruit
7 or vegetable juice.

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

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

26 Notwithstanding any other provisions of this Act,

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

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

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

23 (B) a statement of the "active ingredient(s)" with a
24 list of those ingredients contained in the compound,
25 substance or preparation.

26 Beginning on January 1, 2014 (the effective date of Public

1 Act 98-122), "prescription and nonprescription medicines and
2 drugs" includes medical cannabis purchased from a registered
3 dispensing organization under the Compassionate Use of Medical
4 Cannabis Program Act.

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

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

18 (Source: P.A. 103-9, eff. 6-7-23; 103-154, eff. 6-30-23;
19 103-592, eff. 1-1-25; 103-781, eff. 8-5-24; 104-417, eff.
20 8-15-25.)

21 Section 10. The Service Use Tax Act is amended by changing
22 Section 3-10 as follows:

23 (35 ILCS 110/3-10)

24 Sec. 3-10. Rate of tax. Unless otherwise provided in this

1 Section, the tax imposed by this Act is at the rate of 6.25% of
2 the selling price of tangible personal property transferred,
3 including, on and after January 1, 2025, transferred by lease,
4 as an incident to the sale of service, but, for the purpose of
5 computing this tax, in no event shall the selling price be less
6 than the cost price of the property to the serviceman.

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

1 proceeds of sales of gasohol made during that time.

2 With respect to mid-range ethanol blends, as defined in
3 Section 3-44.3 of the Use Tax Act, the tax imposed by this Act
4 applies to (i) 80% of the selling price of property
5 transferred as an incident to the sale of service on or after
6 January 1, 2024 and on or before December 31, 2028 and (ii)
7 100% 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 mid-range
10 ethanol blends is imposed at the rate of 1.25%, then the tax
11 imposed by this Act applies to 100% of the selling price of
12 mid-range ethanol blends transferred as an incident to the
13 sale of service during that time.

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

20 With respect to biodiesel blends, as defined in the Use
21 Tax Act, with no less than 1% and no more than 10% biodiesel,
22 the tax imposed by this Act applies to (i) 80% of the selling
23 price of property transferred as an incident to the sale of
24 service on or after July 1, 2003 and on or before December 31,
25 2018 and (ii) 100% of the proceeds of the selling price after
26 December 31, 2018 and before January 1, 2024. On and after

1 January 1, 2024 and on or before December 31, 2030, the
2 taxation of biodiesel, renewable diesel, and biodiesel blends
3 shall be as provided in Section 3-5.1 of the Use Tax Act. If,
4 at any time, however, the tax under this Act on sales of
5 biodiesel blends, as defined in the Use Tax Act, with no less
6 than 1% and no more than 10% biodiesel is imposed at the rate
7 of 1.25%, then the tax imposed by this Act applies to 100% of
8 the proceeds of sales of biodiesel blends with no less than 1%
9 and no more than 10% biodiesel made during that time.

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

20 At the election of any registered serviceman made for each
21 fiscal year, for whom the aggregate annual cost price of
22 tangible personal property transferred as an incident to the
23 sales of service is less than 35%, or 75% in the case of
24 servicemen transferring prescription drugs or servicemen
25 engaged in graphic arts production, of the aggregate annual
26 total gross receipts from all sales of service, the tax

1 imposed by this Act shall be based on the serviceman's cost
2 price of the tangible personal property transferred as an
3 incident to the sale of those services. This election may also
4 be made by any serviceman maintaining a place of business in
5 this State who makes retail sales from outside of this State to
6 Illinois customers but is not required to be registered under
7 Section 2a of the Retailers' Occupation Tax Act. Beginning
8 January 1, 2026, this election shall not apply to any sale of
9 service made through a marketplace that has met the threshold
10 in subsection (b-5) of Section 2d of this Act.

11 Beginning January 1, 2026, the tax shall be imposed at the
12 rate of 6.25% of 50% of the entire billing to the service
13 customer for all sales of service made through a marketplace
14 that has met the threshold in subsection (b-5) of Section 2d of
15 this Act. In no event shall 50% of the entire billing be less
16 than the cost price of the property to the marketplace
17 serviceman or the marketplace facilitator on its own sales of
18 service.

19 Until July 1, 2022 and from July 1, 2023 through December
20 31, 2025, the tax shall be imposed at the rate of 1% on food
21 prepared for immediate consumption and transferred incident to
22 a sale of service subject to this Act or the Service Occupation
23 Tax Act by an entity licensed under the Hospital Licensing
24 Act, the Nursing Home Care Act, the Assisted Living and Shared
25 Housing 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 an entity that holds a permit issued
2 pursuant to the Life Care Facilities Act. Until July 1, 2022
3 and from July 1, 2023 through December 31, 2025, the tax shall
4 also be imposed at the rate of 1% on food for human consumption
5 that is to be consumed off the premises where it is sold (other
6 than alcoholic beverages, food consisting of or infused with
7 adult use cannabis, soft drinks, and food that has been
8 prepared for immediate consumption and is not otherwise
9 included in this paragraph).

10 Beginning on July 1, 2022 and until July 1, 2023, the tax
11 shall be imposed at the rate of 0% on food prepared for
12 immediate consumption and transferred incident to a sale of
13 service subject to this Act or the Service Occupation Tax Act
14 by an entity licensed under the Hospital Licensing Act, the
15 Nursing Home Care Act, the Assisted Living and Shared Housing
16 Act, the ID/DD Community Care Act, the MC/DD Act, the
17 Specialized Mental Health Rehabilitation Act of 2013, or the
18 Child Care Act of 1969, or an entity that holds a permit issued
19 pursuant to the Life Care Facilities Act. Beginning on July 1,
20 2022 and until July 1, 2023, the tax shall also be imposed at
21 the rate of 0% on food for human consumption that is to be
22 consumed off the premises where it is sold (other than
23 alcoholic beverages, food consisting of or infused with adult
24 use cannabis, soft drinks, and food that has been prepared for
25 immediate consumption and is not otherwise included in this
26 paragraph).

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

17 The tax shall be imposed at the rate of 1% on prescription
18 and nonprescription medicines, drugs, medical appliances,
19 products classified as Class III medical devices by the United
20 States Food and Drug Administration that are used for cancer
21 treatment pursuant to a prescription, as well as any
22 accessories and components related to those devices,
23 modifications to a motor vehicle for the purpose of rendering
24 it usable by a person with a disability, and insulin, blood
25 sugar testing materials, syringes, and needles used by human
26 diabetics. Beginning on July 1, 2026, the 1% rate of tax on

1 modifications to a motor vehicle for the purpose of rendering
2 the motor vehicle usable by a person with a disability applies
3 to tangible personal property that is installed in or on a
4 motor vehicle before, during, or after the purchase of the
5 motor vehicle for the purpose of rendering the motor vehicle
6 usable by a person with a disability; however, that 1% rate of
7 tax applies only if the tangible personal property is
8 separately itemized on the bill or invoice for the sale of the
9 motor vehicle or if the tangible personal property is
10 purchased separately from the motor vehicle and is separately
11 itemized on a bill or invoice. For the purposes of this
12 Section, until September 1, 2009: the term "soft drinks" means
13 any complete, finished, ready-to-use, non-alcoholic drink,
14 whether carbonated or not, including, but not limited to, soda
15 water, cola, fruit juice, vegetable juice, carbonated water,
16 and all other preparations commonly known as soft drinks of
17 whatever kind or description that are contained in any closed
18 or sealed bottle, can, carton, or container, regardless of
19 size; but "soft drinks" does not include coffee, tea,
20 non-carbonated water, infant formula, milk or milk products as
21 defined in the Grade A Pasteurized Milk and Milk Products Act,
22 or drinks containing 50% or more natural fruit or vegetable
23 juice.

24 Notwithstanding any other provisions of this Act,
25 beginning September 1, 2009, "soft drinks" means non-alcoholic
26 beverages that contain natural or artificial sweeteners. "Soft

1 drinks" does not include beverages that contain milk or milk
2 products, soy, rice or similar milk substitutes, or greater
3 than 50% of vegetable or fruit juice by volume.

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

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

25 Notwithstanding any other provisions of this Act,
26 beginning September 1, 2009, "nonprescription medicines and

1 drugs" does not include grooming and hygiene products. For
2 purposes of this Section, "grooming and hygiene products"
3 includes, but is not limited to, soaps and cleaning solutions,
4 shampoo, toothpaste, mouthwash, antiperspirants, and sun tan
5 lotions and screens, unless those products are available by
6 prescription only, regardless of whether the products meet the
7 definition of "over-the-counter-drugs". For the purposes of
8 this paragraph, "over-the-counter-drug" means a drug for human
9 use that contains a label that identifies the product as a drug
10 as required by 21 CFR 201.66. The "over-the-counter-drug"
11 label includes:

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

13 (B) a statement of the "active ingredient(s)" with a
14 list of those ingredients contained in the compound,
15 substance or preparation.

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

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

26 If the property that is acquired from a serviceman is

1 acquired outside Illinois and used outside Illinois before
2 being brought to Illinois for use here and is taxable under
3 this Act, the "selling price" on which the tax is computed
4 shall be reduced by an amount that represents a reasonable
5 allowance for depreciation for the period of prior
6 out-of-state use. No depreciation is allowed in cases where
7 the tax under this Act is imposed on lease receipts.

8 (Source: P.A. 103-9, eff. 6-7-23; 103-154, eff. 6-30-23;
9 103-592, eff. 1-1-25; 103-781, eff. 8-5-24; 104-6, eff.
10 6-16-25; 104-417, eff. 8-15-25.)

11 Section 15. The Service Occupation Tax Act is amended by
12 changing Section 3-10 as follows:

13 (35 ILCS 115/3-10)

14 Sec. 3-10. Rate of tax. Unless otherwise provided in this
15 Section, the tax imposed by this Act is at the rate of 6.25% of
16 the "selling price", as defined in Section 2 of the Service Use
17 Tax Act, of the tangible personal property, including, on and
18 after January 1, 2025, tangible personal property transferred
19 by lease. For the purpose of computing this tax, in no event
20 shall the "selling price" be less than the cost price to the
21 serviceman of the tangible personal property transferred. The
22 selling price of each item of tangible personal property
23 transferred as an incident of a sale of service may be shown as
24 a distinct and separate item on the serviceman's billing to

1 the service customer. If the selling price is not so shown, the
2 selling price of the tangible personal property is deemed to
3 be 50% of the serviceman's entire billing to the service
4 customer. When, however, a serviceman contracts to design,
5 develop, and produce special order machinery or equipment, the
6 tax imposed by this Act shall be based on the serviceman's cost
7 price of the tangible personal property transferred incident
8 to the completion of the contract.

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

13 With respect to gasohol, as defined in the Use Tax Act, the
14 tax imposed by this Act shall apply to (i) 70% of the cost
15 price of property transferred as an incident to the sale of
16 service on or after January 1, 1990, and before July 1, 2003,
17 (ii) 80% of the selling price of property transferred as an
18 incident to the sale of service on or after July 1, 2003 and on
19 or before July 1, 2017, (iii) 100% of the selling price of
20 property transferred as an incident to the sale of service
21 after July 1, 2017 and prior to January 1, 2024, (iv) 90% of
22 the selling price of property transferred as an incident to
23 the sale of service on or after January 1, 2024 and on or
24 before December 31, 2028, and (v) 100% of the selling price of
25 property transferred as an incident to the sale of service
26 after December 31, 2028. If, at any time, however, the tax

1 under this Act on sales of gasohol, as defined in the Use Tax
2 Act, is imposed at the rate of 1.25%, then the tax imposed by
3 this Act applies to 100% of the proceeds of sales of gasohol
4 made during that time.

5 With respect to mid-range ethanol blends, as defined in
6 Section 3-44.3 of the Use Tax Act, the tax imposed by this Act
7 applies to (i) 80% of the selling price of property
8 transferred as an incident to the sale of service on or after
9 January 1, 2024 and on or before December 31, 2028 and (ii)
10 100% of the selling price of property transferred as an
11 incident to the sale of service after December 31, 2028. If, at
12 any time, however, the tax under this Act on sales of mid-range
13 ethanol blends is imposed at the rate of 1.25%, then the tax
14 imposed by this Act applies to 100% of the selling price of
15 mid-range ethanol blends transferred as an incident to the
16 sale of service during that time.

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

23 With respect to biodiesel blends, as defined in the Use
24 Tax Act, with no less than 1% and no more than 10% biodiesel,
25 the tax imposed by this Act applies to (i) 80% of the selling
26 price of property transferred as an incident to the sale of

1 service on or after July 1, 2003 and on or before December 31,
2 2018 and (ii) 100% of the proceeds of the selling price after
3 December 31, 2018 and before January 1, 2024. On and after
4 January 1, 2024 and on or before December 31, 2030, the
5 taxation of biodiesel, renewable diesel, and biodiesel blends
6 shall be as provided in Section 3-5.1 of the Use Tax Act. If,
7 at any time, however, the tax under this Act on sales of
8 biodiesel blends, as defined in the Use Tax Act, with no less
9 than 1% and no more than 10% biodiesel is imposed at the rate
10 of 1.25%, then the tax imposed by this Act applies to 100% of
11 the proceeds of sales of biodiesel blends with no less than 1%
12 and no more than 10% biodiesel made during that time.

13 With respect to biodiesel, as defined in the Use Tax Act,
14 and biodiesel blends, as defined in the Use Tax Act, with more
15 than 10% but no more than 99% biodiesel material, the tax
16 imposed by this Act does not apply to the proceeds of the
17 selling price of property transferred as an incident to the
18 sale of service on or after July 1, 2003 and on or before
19 December 31, 2023. On and after January 1, 2024 and on or
20 before December 31, 2030, the taxation of biodiesel, renewable
21 diesel, and biodiesel blends shall be as provided in Section
22 3-5.1 of the Use Tax Act.

23 At the election of any registered serviceman made for each
24 fiscal year, for whom the aggregate annual cost price of
25 tangible personal property transferred as an incident to the
26 sales of service is less than 35%, or 75% in the case of

1 servicemen transferring prescription drugs or servicemen
2 engaged in graphic arts production, of the aggregate annual
3 total gross receipts from all sales of service, the tax
4 imposed by this Act shall be based on the serviceman's cost
5 price of the tangible personal property transferred incident
6 to the sale of those services. This election may also be made
7 by a serviceman maintaining a place of business in this State
8 who makes retail sales from outside of this State to Illinois
9 customers but is not required to be registered under Section
10 2a of the Retailers' Occupation Tax Act. Beginning January 1,
11 2026, this election shall not apply to any sale of service made
12 through a marketplace that has met the threshold in subsection
13 (d) of Section 3 of this Act.

14 Beginning January 1, 2026, the tax shall be imposed at the
15 rate of 6.25% of 50% of the entire billing to the service
16 customer for all sales of service made through a marketplace
17 that has met the threshold in subsection (d) of Section 3 of
18 this Act. In no event shall 50% of the entire billing be less
19 than the cost price of the property to the marketplace
20 serviceman or the marketplace facilitator on its own sales of
21 service.

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. Beginning on July 1, 2026, the 1% rate of tax on
3 modifications to a motor vehicle for the purpose of rendering
4 the motor vehicle usable by a person with a disability applies
5 to tangible personal property that is installed in or on a
6 motor vehicle before, during, or after the purchase of the
7 motor vehicle for the purpose of rendering the motor vehicle
8 usable by a person with a disability; however, that 1% rate of
9 tax applies only if the tangible personal property is
10 separately itemized on the bill or invoice for the sale of the
11 motor vehicle or if the tangible personal property is
12 purchased separately from the motor vehicle and is separately
13 itemized on a bill or invoice. For the purposes of this
14 Section, until September 1, 2009: the term "soft drinks" means
15 any complete, finished, ready-to-use, non-alcoholic drink,
16 whether carbonated or not, including, but not limited to, soda
17 water, cola, fruit juice, vegetable juice, carbonated water,
18 and all other preparations commonly known as soft drinks of
19 whatever kind or description that are contained in any closed
20 or sealed can, carton, or container, regardless of size; but
21 "soft drinks" does not include coffee, tea, non-carbonated
22 water, infant formula, milk or milk products as defined in the
23 Grade A Pasteurized Milk and Milk Products Act, or drinks
24 containing 50% or more natural fruit or vegetable juice.

25 Notwithstanding any other provisions of this Act,
26 beginning September 1, 2009, "soft drinks" means non-alcoholic

1 beverages that contain natural or artificial sweeteners. "Soft
2 drinks" does not include beverages that contain milk or milk
3 products, soy, rice or similar milk substitutes, or greater
4 than 50% of vegetable or fruit juice by volume.

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

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

26 Notwithstanding any other provisions of this Act,

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

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

14 (B) a statement of the "active ingredient(s)" with a
15 list of those ingredients contained in the compound,
16 substance or preparation.

17 Beginning on January 1, 2014 (the effective date of Public
18 Act 98-122), "prescription and nonprescription medicines and
19 drugs" includes medical cannabis purchased from a registered
20 dispensing organization under the Compassionate Use of Medical
21 Cannabis Program Act.

22 As used in this Section, "adult use cannabis" means
23 cannabis subject to tax under the Cannabis Cultivation
24 Privilege Tax Law and the Cannabis Purchaser Excise Tax Law
25 and does not include cannabis subject to tax under the
26 Compassionate Use of Medical Cannabis Program Act.

1 (Source: P.A. 103-9, eff. 6-7-23; 103-154, eff. 6-30-23;
2 103-592, eff. 1-1-25; 103-781, eff. 8-5-24; 104-6, eff.
3 6-16-25; 104-417, eff. 8-15-25.)

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

6 (35 ILCS 120/2-10) from Ch. 120, par. 441-10

7 Sec. 2-10. 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 gross receipts from sales, which, on and after January 1,
10 2025, includes leases, of tangible personal property made in
11 the course of business.

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

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

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

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

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

24 With respect to mid-range ethanol blends, as defined in
25 Section 3-44.3 of the Use Tax Act, the tax imposed by this Act
26 applies to (i) 80% of the proceeds of sales made on or after

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

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

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

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

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

1 With respect to prescription and nonprescription
2 medicines, drugs, medical appliances, products classified as
3 Class III medical devices by the United States Food and Drug
4 Administration that are used for cancer treatment pursuant to
5 a prescription, as well as any accessories and components
6 related to those devices, modifications to a motor vehicle for
7 the purpose of rendering it usable by a person with a
8 disability, and insulin, blood sugar testing materials,
9 syringes, and needles used by human diabetics, the tax is
10 imposed at the rate of 1%. Beginning on July 1, 2026, the 1%
11 rate of tax on modifications to a motor vehicle for the purpose
12 of rendering the motor vehicle usable by a person with a
13 disability applies to tangible personal property that is
14 installed in or on a motor vehicle before, during, or after the
15 purchase of the motor vehicle for the purpose of rendering the
16 motor vehicle usable by a person with a disability; however,
17 that 1% rate of tax applies only if the tangible personal
18 property is separately itemized on the bill or invoice for the
19 sale of the motor vehicle or if the tangible personal property
20 is purchased separately from the motor vehicle and is
21 separately itemized on a bill or invoice. For the purposes of
22 this Section, until September 1, 2009: the term "soft drinks"
23 means any complete, finished, ready-to-use, non-alcoholic
24 drink, whether carbonated or not, including, but not limited
25 to, soda water, cola, fruit juice, vegetable juice, carbonated
26 water, and all other preparations commonly known as soft

1 drinks of whatever kind or description that are contained in
2 any closed or sealed bottle, can, carton, or container,
3 regardless of size; but "soft drinks" does not include coffee,
4 tea, non-carbonated water, infant formula, milk or milk
5 products as defined in the Grade A Pasteurized Milk and Milk
6 Products Act, or drinks containing 50% or more natural fruit
7 or vegetable juice.

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

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

26 Notwithstanding any other provisions of this Act,

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

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

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

23 (B) a statement of the "active ingredient(s)" with a
24 list of those ingredients contained in the compound,
25 substance or preparation.

26 Beginning on January 1, 2014 (the effective date of Public

1 Act 98-122), "prescription and nonprescription medicines and
2 drugs" includes medical cannabis purchased from a registered
3 dispensing organization under the Compassionate Use of Medical
4 Cannabis Program Act.

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

10 (Source: P.A. 103-9, eff. 6-7-23; 103-154, eff. 6-30-23;
11 103-592, eff. 1-1-25; 103-781, eff. 8-5-24; 104-417, eff.
12 8-15-25.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.