

SB3387



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3387

Introduced 2/4/2026, by Sen. Elgie R. Sims, Jr.

SYNOPSIS AS INTRODUCED:

30 ILCS 730/3	from Ch. 96 1/2, par. 8203
35 ILCS 5/510	from Ch. 120, par. 5-510
415 ILCS 5/55.8	from Ch. 111 1/2, par. 1055.8

Amends the Illinois Coal Technology Development Assistance Act. Provides that certain amounts required to be transferred into the Coal Technology Development Assistance Fund from the General Revenue Fund shall be directly deposited into the Coal Technology Development Assistance Fund instead. Amends the Illinois Income Tax Act. Provides that certain tax checkoff amounts shall be deposited directly into the specified funds. Amends the Environmental Protection Act. Makes changes concerning certain fees imposed with respect to the sale of new or used tires. Effective July 1, 2026.

LRB104 16365 HLH 29752 b

A BILL FOR

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 Illinois Coal Technology Development
5 Assistance Act is amended by changing Section 3 as follows:

6 (30 ILCS 730/3) (from Ch. 96 1/2, par. 8203)

7 Sec. 3. Transfers to Coal Technology Development
8 Assistance Fund.

9 (a) As soon as may be practicable after the first day of
10 each month, the Department of Revenue shall certify to the
11 Treasurer an amount equal to 1/64 of the revenue realized from
12 the tax imposed by the Electricity Excise Tax Law, Section 2 of
13 the Public Utilities Revenue Act, Section 2 of the Messages
14 Tax Act, and Section 2 of the Gas Revenue Tax Act, during the
15 preceding month. Upon receipt of the certification, the
16 Treasurer shall transfer the amount shown on such
17 certification from the General Revenue Fund to the Coal
18 Technology Development Assistance Fund, which is hereby
19 created as a special fund in the State treasury, except that no
20 transfer shall be made in any month in which the Fund has
21 reached the following balance:

22 (1) (Blank).

23 (2) (Blank).

1 (3) (Blank).

2 (4) (Blank).

3 (5) (Blank).

4 (6) Expect as otherwise provided in subsection (b),
5 during fiscal year 2006 and each fiscal year thereafter,
6 an amount equal to the sum of \$10,000,000 plus additional
7 moneys deposited into the Coal Technology Development
8 Assistance Fund from the Renewable Energy Resources and
9 Coal Technology Development Assistance Charge under
10 Section 6.5 of the Renewable Energy, Energy Efficiency,
11 and Coal Resources Development Law of 1997.

12 (b) During fiscal years 2019 through 2022 only, the
13 Treasurer shall make no transfers from the General Revenue
14 Fund to the Coal Technology Development Assistance Fund.

15 (c) Beginning in fiscal year 2027, those amounts required
16 under this Section to be transferred by the Treasurer into the
17 Coal Technology Development Assistance Fund from the General
18 Revenue Fund shall instead be directly deposited into the Coal
19 Technology Development Assistance Fund.

20 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
21 102-16, eff. 6-17-21.)

22 Section 10. The Illinois Income Tax Act is amended by
23 changing Section 510 as follows:

24 (35 ILCS 5/510) (from Ch. 120, par. 5-510)

1 Sec. 510. Determination of amounts contributed. The
2 Department shall determine the total amount contributed to
3 each of the funds under this Article 5 and shall notify the
4 State Comptroller and the State Treasurer of the amounts to be
5 transferred from the General Revenue Fund to each fund, and
6 upon receipt of such notification the State Treasurer and
7 Comptroller shall transfer the amounts. Beginning on July 1,
8 2026, contribution amounts required to be transferred under
9 this Article 5 shall be deposited directly into the funds.

10 (Source: P.A. 95-331, eff. 8-21-07; 95-434, eff. 8-27-07;
11 95-435, eff. 8-27-07; 95-940, eff. 8-29-08; 96-328, eff.
12 8-11-09.)

13 Section 15. The Environmental Protection Act is amended by
14 changing Section 55.8 as follows:

15 (415 ILCS 5/55.8) (from Ch. 111 1/2, par. 1055.8)

16 Sec. 55.8. Tire retailers.

17 (a) Any person selling new or used tires at retail or
18 offering new or used tires for retail sale in this State shall:

19 (1) beginning on June 20, 2003 (the effective date of
20 Public Act 93-32) and through June 30, 2026, collect from
21 retail customers a fee of \$2 per new or used tire sold and
22 delivered in this State, to be paid to the Department of
23 Revenue and deposited into the Used Tire Management Fund,
24 less a collection allowance of 10 cents per tire to be

1 retained by the retail seller and a collection allowance
2 of 10 cents per tire to be retained by the Department of
3 Revenue and paid into the General Revenue Fund; the
4 collection allowance for retail sellers, however, shall be
5 allowed only if the return is filed timely and in the
6 manner required by this Title XIV and only for the amount
7 that is paid timely in accordance with this Title XIV;

8 (1.5) beginning on July 1, 2003 and through June 30,
9 2026, collect from retail customers an additional 50 cents
10 per new or used tire sold and delivered in this State; the
11 money collected from this fee shall be deposited into the
12 Emergency Public Health Fund;

13 (1.6) beginning on July 1, 2026, collect from retail
14 customers a fee of \$2.50 per new or used tire sold and
15 delivered in this State, to be paid to the Department of
16 Revenue, less a collection allowance of \$0.10 per tire to
17 be retained by the retail seller; the collection
18 allowance, however, shall be allowed only if the return is
19 filed timely and in the manner required by this Title XIV
20 and only for the amount that is paid timely in accordance
21 with this Title XIV; the money collected from this fee
22 shall be deposited as follows:

23 (i) 4% into the General Revenue Fund;

24 (ii) 75% into the Used Tire Management Fund; and

25 (iii) 21% into the Emergency Public Health Fund

26 (2) accept for recycling used tires from customers, at

1 the point of transfer, in a quantity equal to the number of
2 new tires purchased; and

3 (3) post in a conspicuous place a written notice at
4 least 8.5 by 11 inches in size that includes the universal
5 recycling symbol and the following statements: "DO NOT put
6 used tires in the trash."; "Recycle your used tires."; and
7 "State law requires us to accept used tires for recycling,
8 in exchange for new tires purchased."

9 (b) A person who accepts used tires for recycling under
10 subsection (a) shall not allow the tires to accumulate for
11 periods of more than 90 days.

12 (c) The requirements of subsection (a) of this Section do
13 not apply to mail order sales nor shall the retail sale of a
14 motor vehicle be considered to be the sale of tires at retail
15 or offering of tires for retail sale. Instead of filing
16 returns, retailers of tires may remit the tire user fee to
17 their suppliers of tires if the supplier of tires is a
18 registered retailer of tires and agrees or otherwise arranges
19 to collect and remit the tire fee to the Department of Revenue,
20 notwithstanding the fact that the sale of the tire is a sale
21 for resale and not a sale at retail. A tire supplier who enters
22 into such an arrangement with a tire retailer shall be liable
23 for the tax on all tires sold to the tire retailer and must (i)
24 provide the tire retailer with a receipt that separately
25 reflects the tire tax collected from the retailer on each
26 transaction and (ii) accept used tires for recycling from the

1 retailer's customers. The tire supplier shall be entitled to
2 the collection allowance of 10 cents per tire, but only if the
3 return is filed timely and only for the amount that is paid
4 timely in accordance with this Title XIV.

5 The retailer of the tires must maintain in its books and
6 records evidence that the appropriate fee was paid to the tire
7 supplier and that the tire supplier has agreed to remit the fee
8 to the Department of Revenue for each tire sold by the
9 retailer. Otherwise, the tire retailer shall be directly
10 liable for the fee on all tires sold at retail. Tire retailers
11 paying the fee to their suppliers are not entitled to the
12 collection allowance of 10 cents per tire. The collection
13 allowance for suppliers, however, shall be allowed only if the
14 return is filed timely and in the manner required by this Title
15 XIV and only for the amount that is paid timely in accordance
16 with this Title XIV.

17 (d) The requirements of subsection (a) of this Section
18 shall apply exclusively to tires to be used for vehicles
19 defined in Section 1-217 of the Illinois Vehicle Code,
20 aircraft tires, special mobile equipment, and implements of
21 husbandry.

22 (e) The requirements of paragraph (1) of subsection (a) do
23 not apply to the sale of reprocessed tires. For purposes of
24 this Section, "reprocessed tire" means a used tire that has
25 been recapped, retreaded, or regrooved and that has not been
26 placed on a vehicle wheel rim.

1 (Source: P.A. 100-303, eff. 8-24-17.)

2 Section 99. Effective date. This Act takes effect July 1,
3 2026.