



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB2490

Introduced 2/26/2007, by Rep. Michael J. Madigan - Barbara Flynn Currie - John E. Bradley

SYNOPSIS AS INTRODUCED:

35 ILCS 640/15

Amends the Electricity Excise Tax Law. Makes a technical change in a Section concerning severability.

LRB095 00903 BDD 20905 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 Electricity Excise Tax Law is amended by
5 changing Section 15 as follows:

6 (35 ILCS 640/15)

7 Sec. 15. If any provision added by this amendatory Act of
8 1997 is held invalid, this entire amendatory Act of 1997 shall
9 be deemed invalid, and ~~and~~ the provisions of Section 1.31,
10 "Severability", of the Statute on Statutes are hereby expressly
11 declared not applicable to this amendatory Act of 1997;
12 provided, however (i) that any contracts entered into and
13 performed, transactions completed, orders issued, services
14 provided, billings rendered, or payments made in accordance
15 with the provisions of this amendatory Act of 1997, other than
16 as provided in clause (ii) below, prior to the date of the
17 determination of such invalidity, shall not thereby be rendered
18 invalid; (ii) that no presumption as to the validity or
19 invalidity of any contracts, transactions, orders, billings,
20 or payments pursuant to Article XVIII of the Public Utilities
21 Act shall result from a determination of invalidity of this
22 amendatory Act of 1997; and (iii) that the provisions of
23 proviso (i) shall not be deemed to preserve the validity of any

1 executory contracts or transactions, of any actions to be taken
2 pursuant to orders issued, or of any services to be performed,
3 billings to be rendered, or payments to be made, pursuant to
4 provisions of this amendatory Act of 1997 subsequent to the
5 date of determination of such invalidity.

6 (Source: P.A. 90-561, eff. 12-16-97.)