

SB2018



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2018

Introduced 2/7/2008, by Sen. William R. Haine

SYNOPSIS AS INTRODUCED:

415 ILCS 5/31a new

Amends the Environmental Protection Act. Provides that all complaints and other actions brought by the Attorney General pursuant to a referral or request from the Environmental Protection Agency must include the Agency as a named party plaintiff or complainant in the action. Provides that this requirement does not apply to certain criminal actions and is not intended to alter or diminish the Attorney General's authority to act as the attorney for the Agency and the State. Effective immediately.

LRB095 15301 BDD 44998 b

A BILL FOR

1 AN ACT concerning environmental safety.

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

4 Section 5. The Environmental Protection Act is amended by
5 adding Section 31a as follows:

6 (415 ILCS 5/31a new)

7 Sec. 31a. Agency as named party in civil actions. All
8 complaints and other actions brought by the Attorney General
9 under this Act pursuant to a referral or request from the
10 Agency, including but not limited to (i) complaints under
11 Section 31 and (ii) actions for civil penalties or injunctions
12 under Section 42 or 43, must include the Agency as a named
13 party plaintiff or complainant in the action. The requirements
14 under this Section: (i) do not apply to criminal actions
15 brought under Section 44 of this Act; and (ii) are not intended
16 to alter or diminish the Attorney General's authority to act as
17 the attorney for the Agency and the State.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.