



Sen. Susan Garrett

**Filed: 5/19/2009**

09600HB0402sam001

LRB096 07520 ASK 26883 a

1 AMENDMENT TO HOUSE BILL 402

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 402 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by adding  
5 Section 5.719 as follows:

6 (30 ILCS 105/5.719 new)

7 Sec. 5.719. The Private Sewage Disposal Program Fund.

8 Section 10. The Private Sewage Disposal Licensing Act is  
9 amended by changing Section 4 as follows:

10 (225 ILCS 225/4) (from Ch. 111 1/2, par. 116.304)

11 Sec. 4. (a) After January 1, 1974, no person or private  
12 sewage disposal system contractor may construct, install,  
13 modify, repair, maintain, or service a private sewage disposal  
14 system or transport and dispose of waste removed therefrom, in

1 such a manner that does not comply with the requirements of  
2 this Act and the private sewage disposal code promulgated  
3 hereunder by the Department. A person who owns and occupies a  
4 single family dwelling and who constructs, installs,  
5 maintains, services or cleans the private sewage disposal  
6 system which serves his single family residence shall not be  
7 required to be licensed under this Act, however, such person  
8 shall comply with all other provisions of this Act and the  
9 private sewage disposal code promulgated hereunder by the  
10 Department.

11 Any person who constructs, installs, repairs, modifies, or  
12 maintains a private sewage disposal system, other than a system  
13 which serves his own single family residence, shall be licensed  
14 by the Department as a Private Sewage System Installation  
15 Contractor and any person who cleans or pumps waste from a  
16 private sewage disposal system, other than a system which  
17 serves his own single family residence, or hauls or disposes of  
18 wastes removed therefrom shall be licensed by the Department as  
19 a Private Sewage Disposal System Pumping Contractor in  
20 accordance with this Act.

21 (b) No new private sewage disposal system shall be  
22 installed by any person until drawings, specifications and  
23 other information requested by the Department are submitted to  
24 and reviewed by the Department and found to comply with the  
25 private sewage disposal code, and until approval for the  
26 installation of such system is issued by the Department.

1 (c) The licensing requirements of this Act shall not apply  
2 to any person who cleans or pumps, hauls or disposes of waste  
3 from chemical toilets located in an underground coal mine. This  
4 waste shall be (i) transported to and disposed of at a sewage  
5 treatment facility permitted by the Illinois Environmental  
6 Protection Agency and located on the mine property, or (ii)  
7 stored on-site in a sanitary manner pending removal and  
8 subsequent disposal by a licensed private sewage disposal  
9 pumping contractor.

10 (d) There is hereby created in the State treasury a special  
11 fund to be known as the Private Sewage Disposal Program Fund.  
12 All fees collected by the Department for exams, licenses,  
13 permits, and fines in accordance with this Act shall be  
14 deposited into the Fund and shall be appropriated by the  
15 General Assembly to the Department. Gifts, grants and other  
16 monies from any source available for this purpose may be  
17 deposited into the Fund. Subject to appropriation, money from  
18 this Fund shall be used by the Department to administer this  
19 Act. Interest attributable to monies in this Fund shall be  
20 returned to the Fund. Monies in the Fund shall be appropriated  
21 and used only for the purposes stated in this Act.

22 (Source: P.A. 86-1195.)

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law."