

1 AN ACT in relation to the regulation of drycleaners.

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

4 Section 5. The Drycleaner Environmental Response Trust  
5 Fund Act is amended by changing Section 60 as follows:

6 (415 ILCS 135/60)

7 (Section scheduled to be repealed on January 1, 2010)

8 Sec. 60. Drycleaning facility license.

9 (a) Beginning ~~On-and-after~~ January 1, 1998, no person  
10 shall operate a drycleaning facility in this State without a  
11 license issued by the Council.

12 (b) The Council shall issue an initial or renewal  
13 license to a drycleaning facility on submission by an  
14 applicant of a completed form prescribed by the Council and  
15 proof of payment of the required fee to the Department of  
16 Revenue.

17 (c) The annual fees for licensure are as follows:

18 (1) \$500 for a facility that purchases 140 gallons  
19 or less of chlorine-based drycleaning solvents annually  
20 or 1400 gallons or less of hydrocarbon-based drycleaning  
21 solvents annually.

22 (2) \$1,000 for a facility that purchases more than  
23 140 gallons but less than 360 gallons of chlorine-based  
24 drycleaning solvents annually or more than 1400 gallons  
25 but less than 3600 gallons of hydrocarbon-based  
26 drycleaning solvents annually.

27 (3) \$1,500 for a facility that purchases 360  
28 gallons or more of chlorine-based drycleaning solvents  
29 annually or 3600 gallons or more of hydrocarbon-based  
30 drycleaning solvents annually.

31 For purpose of this subsection, the quantity of

1 drycleaning solvents purchased annually shall be determined  
2 as follows:

3 (1) in the case of an initial applicant, the  
4 quantity of drycleaning solvents that the applicant  
5 estimates will be used during his or her initial license  
6 year. A fee assessed under this subdivision is subject  
7 to audited adjustment for that year; or

8 (2) in the case of a renewal applicant, the  
9 quantity of drycleaning solvents actually used in the  
10 preceding license year.

11 The Council may adjust licensing fees annually based on  
12 the published Consumer Price Index - All Urban Consumers  
13 ("CPI-U") or as otherwise determined by the Council.

14 (d) A license issued under this Section shall expire one  
15 year after the date of issuance and may be renewed on  
16 reapplication to the Council and submission of proof of  
17 payment of the appropriate fee to the Department of Revenue  
18 in accordance with subsections (c) and (e). At least 30 days  
19 before payment of a renewal licensing fee is due, the Council  
20 shall attempt to:

21 (1) notify the operator of each licensed  
22 drycleaning facility concerning the requirements of this  
23 Section; and

24 (2) submit a license fee payment form to the  
25 licensed operator of each drycleaning facility.

26 (e) An operator of a drycleaning facility shall submit  
27 the appropriate application form provided by the Council with  
28 the license fee in the form of cash or guaranteed remittance  
29 to the Department of Revenue. The license fee payment form  
30 and the actual license fee payment shall be administered by  
31 the Department of Revenue under rules adopted by that  
32 Department.

33 (f) The Department of Revenue shall issue a proof of  
34 payment receipt to each operator of a drycleaning facility

1 who has paid the appropriate fee in cash or by guaranteed  
2 remittance. However, the Department of Revenue shall not  
3 issue a proof of payment receipt to a drycleaning facility  
4 that is liable to the Department of Revenue for a tax imposed  
5 under this Act. The original receipt shall be presented to  
6 the Council by the operator of a drycleaning facility.

7 (g) An operator of a dry cleaning facility who is  
8 required to pay a license fee under this Act and fails to pay  
9 the license fee when the fee is due shall be assessed a  
10 penalty of \$5 for each day after the license fee is due and  
11 until the license fee is paid. The penalty shall be effective  
12 for license fees due on or after July 1, 1999.

13 (h) The Council and the Department of Revenue may adopt  
14 rules as necessary to administer the licensing requirements  
15 of this Act.

16 (Source: P.A. 90-502, eff. 8-19-97; 91-453, eff. 8-6-99.)