



Sen. Steve Stadelman

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10400SB2181sam001

LRB104 10776 AAS 36043 a

1 AMENDMENT TO SENATE BILL 2181

2 AMENDMENT NO. _____. Amend Senate Bill 2181 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Public Utilities Act is amended by adding
5 Section 4-620 as follows:

6 (220 ILCS 5/4-620 new)

7 Sec. 4-620. Energy and water reporting requirements.

8 (a) As used in this Section:

9 "Data center" means a facility:

10 (1) whose primary services are the storage,
11 management, and processing of digital data; and

12 (2) that is used to house:

13 (A) computer and network systems, including
14 associated components such as servers, network
15 equipment and appliances, telecommunications, and data
16 storage systems;

1 (B) systems for monitoring and managing
2 infrastructure performance;

3 (C) Internet-related equipment and services;

4 (D) data communications connections;

5 (E) environmental controls;

6 (F) fire protection systems; and

7 (G) security systems and service.

8 "Data center" does not include an entity located within an
9 area approved by the Department of Commerce and Economic
10 Opportunity as a quantum computing campus enterprise zone
11 pursuant to Section 605-1115 of the Department of Commerce and
12 Economic Opportunity Law as of May 1, 2025 or an entity owned
13 and operated by a federally funded research and development
14 center, as defined in 48 CFR 35.017, as of May 1, 2025.

15 "Energy consumption" means the total amount of electricity
16 or other forms of energy consumed by a data center.

17 "Water consumption" means the total amount of water
18 consumed by a data center, including water used for cooling,
19 measured in gallons.

20 (b) The purpose of this Section is to ensure transparency
21 regarding the environmental impacts of data centers operating
22 within the State by requiring the disclosure of energy usage
23 data to the Commission and water usage data to the Department
24 of Natural Resources.

25 (c) On and after January 1, 2027, all data centers
26 operating within the State shall maintain water consumption

1 data so as to submit annual disclosures of the data center's
2 water usage that fulfill the requirements of this subsection
3 (c) to the Department of Natural Resources for the preceding
4 calendar year.

5 The data center's water use disclosures shall be submitted
6 to the Department of Natural Resources no later than March 31,
7 2028 and March 31 of each year thereafter. A data center's
8 water usage disclosure must include, at a minimum:

9 (1) the data center's total water consumption for the
10 previous calendar year, broken down by month;

11 (2) an estimate of the amount of water used for
12 cooling, such as water used to absorb and remove heat from
13 servers, storage systems, power supplies, or other
14 equipment; and

15 (3) measures that the data center implemented in the
16 previous calendar year to reduce water usage.

17 The data and information required to be disclosed to the
18 Department of Natural Resources under this subsection shall be
19 treated and maintained by the Department of Natural Resources
20 as confidential and proprietary, and shall be exempt from
21 disclosure under subparagraphs (a) and (g) of paragraph (1) of
22 Section 7 of the Freedom of Information Act. The Office of the
23 Attorney General shall have access to, and maintain the
24 confidentiality of, such information pursuant to Section 6.5
25 of the Attorney General Act.

26 The Department of Natural Resources shall make an

1 aggregated and anonymized form of the data disclosed to it
2 under this Section available on a publicly accessible web
3 page. The Department of Natural Resources shall update this
4 web page, at a minimum, annually, so that current aggregated
5 and anonymized data is accessible to the public.

6 The Department of Natural Resources shall adopt any rules
7 necessary to implement the provisions of this subsection (c).

8 (d) On and after January 1, 2027, all data centers
9 operating within the State shall maintain energy consumption
10 data so as to submit annual disclosures of the data center's
11 energy usage that fulfill the requirements of this subsection
12 (d) to the Commission for the preceding calendar year.

13 The data center's energy use disclosures shall be
14 submitted to the Commission no later than March 31, 2028 and
15 March 31 of each year thereafter. A data center's energy usage
16 disclosures must include, at a minimum:

17 (1) the total energy consumption for the previous
18 calendar year, broken down by month and specifying whether
19 the energy consumed was supplied through the grid or a
20 collocated generation source, or some combination of the
21 2; and

22 (2) measures that the data center implemented in the
23 previous calendar year to improve energy efficiency.

24 The data and information required to be disclosed to the
25 Commission under this subsection shall be treated and
26 maintained by the Commission as confidential and proprietary,

1 and shall be exempt from disclosure under subparagraphs (a)
2 and (g) of paragraph (1) of Section 7 of the Freedom of
3 Information Act. The Office of the Attorney General shall have
4 access to, and maintain the confidentiality of, such
5 information pursuant to Section 6.5 of the Attorney General
6 Act.

7 The Commission shall make the aggregated and anonymized
8 form of the data disclosed to it under this subsection
9 available on a publicly accessible web page.

10 The Commission shall publish an annual report summarizing
11 statewide energy consumption trends of data centers,
12 including, but not limited to, legislative recommendations to
13 address identified issues.

14 (e) The Commission shall conduct a comprehensive study on
15 the impact that data centers in the State have on rate-paying
16 customers. The study shall include, but is not limited to, the
17 following:

18 (1) the energy consumption of data centers and the
19 facilities' effects on overall electricity demand in the
20 State;

21 (2) the extent to which data centers contribute to
22 electricity rate changes for residential, commercial, and
23 industrial customers;

24 (3) the environmental impact of data centers in the
25 State; and

26 (4) potential legislation to mitigate any negative

1 impacts of data centers on rate-paying customers.

2 The Commission may hire consultants and experts to conduct
3 the study under this subsection (e), and the retention of the
4 consultants and experts shall be exempt from the requirements
5 of Section 20-10 of the Illinois Procurement Code.

6 In conducting the study under this subsection, the
7 Commission shall:

8 (i) consult with stakeholders, including, but not
9 limited to, public utilities, data center facility
10 operators, consumer advocacy groups, and environmental
11 organizations;

12 (ii) analyze data from public utilities and other
13 relevant sources to assess the energy consumption and rate
14 impacts associated with data centers; and

15 (iii) consider best practices from other states in
16 managing the energy and rate impacts of data centers.

17 The Commission shall submit a report detailing the
18 findings of the study under this subsection to the General
19 Assembly and the Governor no later than March 31, 2028.

20 (f) The Commission shall adopt any rules necessary to
21 implement the provisions of this Section.

22 (g) Data centers that fail to comply with any disclosure
23 requirements under this Section may be subject to fines of up
24 to \$10,000 per violation. All funds collected under this
25 subsection shall be deposited into the Energy Efficiency Trust
26 Fund.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".