



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3910

Introduced 2/6/2026, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:

See Index

Amends the Sanitary District Act of 1917. Provides that the board of trustees of a sanitary district organized under the Act (rather than only the board of trustees of the Sanitary District of Decatur or the board of trustees of the Bloomington and Normal Water Reclamation District) may enter into an agreement to sell, convey, or disburse treated wastewater to a private entity located within 50 miles of the District's boundaries. Provides that the board of trustees of a sanitary district organized under the Act (rather than only the board of trustees of the Sanitary District of Decatur) may accept wastewater for treatment from a private entity located within 50 miles of the district's boundaries. Provides that the board of trustees of a sanitary district organized under the Act (rather than only the board of trustees of the Sanitary District of Decatur) may acquire and accept, by gift, grant, purchase, or otherwise, a fee simple interest or any lesser interest as may be desired in real property necessary to carry out its powers under the provisions. Amends the Sanitary District Act of 1907, the Metropolitan Water Reclamation District Act, the Sanitary District Act of 1936, the Metro-East Sanitary District Act of 1974, and the Eastern Will Sanitary District Act providing similar powers to districts organized under those Acts. Amends the North Shore Water Reclamation District Act. Provides that an agreement entered into by the board of trustees of any sanitary district formed under the Act to sell, convey, or disburse treated wastewater to any public or private entity located within 50 miles of the district's boundaries (rather than within or outside of the boundaries of the sanitary district) may not exceed 30 years (rather than 20 years). Removes language providing that any use of treated wastewater by any public or private entity shall be subject to the orders of the Pollution Control Board. Amends the Environmental Protection Act. Provides that, within one year after the effective date of the amendatory Act, the Environmental Protection Agency shall establish a process for sanitary districts to obtain a permit to sell treated wastewater. Effective immediately.

LRB104 18685 RTM 32128 b

1 AN ACT concerning local government.

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

4 Section 3. The Environmental Protection Act is amended by
5 adding Section 40.4 as follows:

6 (415 ILCS 5/40.4 new)

7 Sec. 40.4. Permits for the sale of treated
8 wastewater. Within one year after the effective date of this
9 amendatory Act of the 104th General Assembly, the Agency shall
10 establish a process for sanitary districts to obtain a permit
11 to sell treated wastewater.

12 Section 5. The Sanitary District Act of 1907 is amended by
13 adding Section 14.5 as follows:

14 (70 ILCS 2205/14.5 new)

15 Sec. 14.5. Private agreements for wastewater treatment.

16 (a) The board of trustees of a sanitary district organized
17 under this Act may enter into an agreement to sell, convey, or
18 disburse treated wastewater to a private entity located within
19 50 miles of the district's boundaries. The agreement may not
20 exceed 30 years. The district may also accept wastewater for
21 treatment from a private entity located within 50 miles of the

1 district's boundaries.

2 (b) In addition, the district may acquire and accept, by
3 gift, grant, purchase, or otherwise, pursuant to its authority
4 under this Act, a fee simple interest or any lesser interest as
5 may be desired in real property necessary to carry out its
6 powers under this Section.

7 (c) This Section does not apply to private entities
8 located outside of the State.

9 Section 10. The North Shore Water Reclamation District Act
10 is amended by changing Section 7 as follows:

11 (70 ILCS 2305/7) (from Ch. 42, par. 283)

12 Sec. 7. Powers of the board of trustees. The board of
13 trustees of any sanitary district organized under this Act may
14 provide for the treatment of the sewage thereof and save and
15 preserve the water supplied to the inhabitants of such
16 district from contamination. For that purpose the board may
17 construct and maintain an enclosed conduit or conduits, main
18 pipes, wholly or partially submerged, buried or otherwise, and
19 by means of pumps or otherwise cause such sewage to flow or to
20 be forced through such conduit or conduits, pipe or pipes to
21 and into any ditch or canal constructed and operated by any
22 other sanitary district, after having first acquired the right
23 so to do. Such board may provide for the drainage of such
24 district by laying out, establishing, constructing and

1 maintaining one or more channels, drains, ditches and outlets
2 for carrying off and disposing of the drainage (including the
3 sewage) of such district, together with such adjuncts and
4 additions thereto as may be necessary or proper to cause such
5 channels or outlets to accomplish the end for which they are
6 designed, in a satisfactory manner, including pumps and
7 pumping stations and the operation of the same. Such board
8 shall provide suitable and modernly equipped sewage treatment
9 works or plants for the separation and treatment of all solids
10 and deleterious matter from the liquids, and shall treat and
11 purify the residue of such sewage so that when it flows into
12 any lake, it will not injuriously contaminate the waters
13 thereof. The board shall adopt any feasible method to
14 accomplish the object for which such sanitary district may be
15 created, and may also provide means whereby the sanitary
16 district may reach and procure supplies of water for diluting
17 and flushing purposes. The board of trustees of any sanitary
18 district formed under this Act may also enter into an
19 agreement to sell, convey, or disburse treated wastewater to
20 any public or private entity located within 50 miles of the
21 district's boundaries. ~~or outside of the boundaries of the~~
22 ~~sanitary district. Any use of treated wastewater by any public~~
23 ~~or private entity shall be subject to the orders of the~~
24 ~~Pollution Control Board.~~ The agreement may not exceed 30 ~~20~~
25 years.

26 Nothing set forth in this Section may be construed to

1 empower, authorize or require such board of trustees to
2 operate a system of water works for the purpose of furnishing
3 or delivering water to any such municipality or to the
4 inhabitants thereof without payment therefor at such rates as
5 the board may determine. Nothing in this Act shall require a
6 sanitary district to extend service to any individual
7 residence or other building within the district, and it is the
8 intent of the Illinois General Assembly that any construction
9 contemplated by this Section shall be restricted to
10 construction of works and main or interceptor sewers,
11 conduits, channels and similar facilities, but not individual
12 service lines. Nothing in this Act contained authorizes the
13 trustees to flow the sewage of such district into Lake
14 Michigan. Any such plan for sewage disposal by any sanitary
15 district organized hereunder is prohibited, unless such sewage
16 has been treated and purified as provided in this Section, all
17 laws of the Federal government relating to the pollution of
18 navigable waters have been complied with, the approval of
19 plans and constructions of outlets and connection with any of
20 the streams or navigable bodies of water within or bordering
21 upon the State has been obtained from the Department of
22 Natural Resources of the State. The discharge of any sewage
23 from any such district into any of the streams or navigable
24 bodies of water within or bordering upon the State is subject
25 to the orders of the Pollution Control Board. Nothing in this
26 Act contained may be construed as superseding or in any manner

1 limiting the provisions of the Environmental Protection Act.

2 After the construction of such sewage disposal plant, if
3 the board finds that it will promote the prevention of
4 pollution of waters of the State, such board of trustees may
5 adopt ordinances or rules and regulations, prohibiting or
6 regulating the discharge to sewers of inadmissible wastes or
7 substances toxic to biological wastewater treatment processes.
8 Inadmissible wastes include those which create a fire or
9 explosion hazard in the sewer or treatment works; those which
10 will impair the hydraulic capacity of sewer systems; and those
11 which in any quantity, create a hazard to people, sewer
12 systems, treatment processes, or receiving waters. Substances
13 that may be toxic to wastewater treatment processes include
14 copper, chromium, lead, zinc, arsenic, nickel, barium,
15 cadmium, mercury, selenium, silver, and any poisonous
16 compounds such as cyanide or radioactive wastes which pass
17 through wastewater treatment plants in hazardous
18 concentrations and menace users of the receiving waters. Such
19 ordinances or rules and regulations shall be effective
20 throughout the sanitary district, in the incorporated areas as
21 well as the unincorporated areas and all public sewers
22 therein.

23 (Source: P.A. 100-31, eff. 8-4-17.)

24 Section 15. The Sanitary District Act of 1917 is amended
25 by changing Section 7.9 as follows:

1 (70 ILCS 2405/7.9)

2 Sec. 7.9. Private agreements for wastewater treatment.

3 (a) The board of trustees of a sanitary district organized
4 under this Act ~~the Sanitary District of Decatur or the~~
5 ~~Bloomington and Normal Water Reclamation District~~ may enter
6 into an agreement to sell, convey, or disburse treated
7 wastewater to a private entity located within 50 miles of the
8 district's ~~District's~~ boundaries. The agreement may not exceed
9 30 years. The district ~~Sanitary District of Decatur or the~~
10 ~~Bloomington and Normal Water Reclamation District~~ may also
11 accept wastewater for treatment from a private entity located
12 within 50 miles of the district's boundaries.

13 (b) In addition, the district ~~Sanitary District of Decatur~~
14 ~~or the Bloomington and Normal Water Reclamation District~~ may
15 acquire and accept, by gift, grant, purchase, or otherwise,
16 pursuant to its authority under this Act, a fee simple
17 interest or any lesser interest as may be desired in real
18 property necessary to carry out its powers under this Section.

19 (c) This Section does not apply to private entities
20 located outside of the State.

21 (Source: P.A. 104-186, eff. 8-15-25.)

22 Section 20. The Metropolitan Water Reclamation District
23 Act is amended by adding Section 7i as follows:

1 (70 ILCS 2605/7i new)

2 Sec. 7i. Private agreements for wastewater treatment.

3 (a) The board of trustees of a sanitary district organized
4 under this Act may enter into an agreement to sell, convey, or
5 disburse treated wastewater to a private entity located within
6 50 miles of the district's boundaries. The agreement may not
7 exceed 30 years. The district may also accept wastewater for
8 treatment from a private entity located within 50 miles of the
9 district's boundaries.

10 (b) In addition, the district may acquire and accept, by
11 gift, grant, purchase, or otherwise, pursuant to its authority
12 under this Act, a fee simple interest or any lesser interest as
13 may be desired in real property necessary to carry out its
14 powers under this Section.

15 (c) This Section does not apply to private entities
16 located outside of the State.

17 Section 25. The Sanitary District Act of 1936 is amended
18 by adding Section 12.2 as follows:

19 (70 ILCS 2805/12.2 new)

20 Sec. 12.2. Private agreements for wastewater treatment.

21 (a) The board of trustees of a sanitary district organized
22 under this Act may enter into an agreement to sell, convey, or
23 disburse treated wastewater to a private entity located within
24 50 miles of the district's boundaries. The agreement may not

1 exceed 30 years. The district may also accept wastewater for
2 treatment from a private entity located within 50 miles of the
3 district's boundaries.

4 (b) In addition, the district may acquire and accept, by
5 gift, grant, purchase, or otherwise, pursuant to its authority
6 under this Act, a fee simple interest or any lesser interest as
7 may be desired in real property necessary to carry out its
8 powers under this Section.

9 (c) This Section does not apply to private entities
10 located outside of the State.

11 Section 30. The Metro-East Sanitary District Act of 1974
12 is amended by adding Section 2-5.5 as follows:

13 (70 ILCS 2905/2-5.5 new)

14 Sec. 2-5.5. Private agreements for wastewater treatment.

15 (a) The board of trustees of a sanitary district organized
16 under this Act may enter into an agreement to sell, convey, or
17 disburse treated wastewater to a private entity located within
18 50 miles of the district's boundaries. The agreement may not
19 exceed 30 years. The district may also accept wastewater for
20 treatment from a private entity located within 50 miles of the
21 district's boundaries.

22 (b) In addition, the district may acquire and accept, by
23 gift, grant, purchase, or otherwise, pursuant to its authority
24 under this Act, a fee simple interest or any lesser interest as

1 may be desired in real property necessary to carry out its
2 powers under this Section.

3 (c) This Section does not apply to private entities
4 located outside of the State.

5 Section 35. The Eastern Will Sanitary District Act is
6 amended by adding Section 25 as follows:

7 (70 ILCS 3020/25 new)

8 Sec. 25. Private agreements for wastewater treatment.

9 (a) The board of trustees of the District may enter into an
10 agreement to sell, convey, or disburse treated wastewater to a
11 private entity located within 50 miles of the District's
12 boundaries. The agreement may not exceed 30 years. The
13 District may also accept wastewater for treatment from a
14 private entity located within 50 miles of the district's
15 boundaries.

16 (b) In addition, the District may acquire and accept, by
17 gift, grant, purchase, or otherwise, pursuant to its authority
18 under this Act, a fee simple interest or any lesser interest as
19 may be desired in real property necessary to carry out its
20 powers under this Section.

21 (c) This Section does not apply to private entities
22 located outside of the State.

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

1 INDEX

2 Statutes amended in order of appearance

3 415 ILCS 5/40.4 new

4 70 ILCS 2205/14.5 new

5 70 ILCS 2305/7 from Ch. 42, par. 283

6 70 ILCS 2405/7.9

7 70 ILCS 2605/7i new

8 70 ILCS 2805/12.2 new

9 70 ILCS 2905/2-5.5 new

10 70 ILCS 3020/25 new