

1 AN ACT concerning State government.

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

4 ARTICLE 5. AMENDATORY PROVISIONS

5 (20 ILCS 605/605-523 rep.)

6 Section 5-5. The Department of Commerce and Economic
7 Opportunity Law of the Civil Administrative Code of Illinois is
8 amended by repealing Section 605-523.

9 (20 ILCS 3930/9 rep.)

10 Section 5-10. The Illinois Criminal Justice Information
11 Act is amended by repealing Section 9.

12 (20 ILCS 3988/35 rep.)

13 Section 5-15. The Local Legacy Act is amended by repealing
14 Section 35.

15 (30 ILCS 105/5.102 rep.)

16 (30 ILCS 105/5.172 rep.)

17 (30 ILCS 105/5.325 rep.)

18 (30 ILCS 105/5.423 rep.)

19 (30 ILCS 105/5.512 rep.)

20 (30 ILCS 105/5.541 rep.)

1 (30 ILCS 105/5.556 rep.)

2 (30 ILCS 105/5.591 rep.)

3 (30 ILCS 105/5.595 rep.)

4 (30 ILCS 105/5.625 rep.)

5 (30 ILCS 105/5.626 rep.)

6 (30 ILCS 105/5.627 rep.)

7 (30 ILCS 105/5.628 rep.)

8 (30 ILCS 105/5.661 rep.)

9 (30 ILCS 105/5.779 rep.)

10 (30 ILCS 105/5.813 rep.)

11 (30 ILCS 105/5.818 rep.)

12 (30 ILCS 105/6a-5 rep.)

13 (30 ILCS 105/6z-55 rep.)

14 (30 ILCS 105/6z-83 rep.)

15 (30 ILCS 105/6z-93 rep.)

16 Section 5-20. The State Finance Act is amended by repealing
17 Sections 5.102, 5.172, 5.325, 5.423, 5.512, 5.541, 5.556,
18 5.591, 5.595, 5.625, 5.626, 5.627, 5.628, 5.661, 5.779, 5.813,
19 5.818, 6a-5, 6z-55, 6z-83, and 6z-93.

20 (35 ILCS 5/208.1 rep.)

21 (35 ILCS 5/507XX rep.)

22 Section 5-25. The Illinois Income Tax Act is amended by
23 repealing Sections 208.1 and 507XX.

24 Section 5-30. The Economic Development for a Growing

1 Economy Tax Credit Act is amended by changing Section 5-80 as
2 follows:

3 (35 ILCS 10/5-80)

4 Sec. 5-80. Adoption of rules. The Department may adopt
5 rules necessary to implement this Act. The rules may provide
6 for recipients of Credits under this Act to be charged fees to
7 cover administrative costs of the tax credit program. Fees
8 collected shall be deposited into the General Revenue ~~Economic~~
9 ~~Development for a Growing Economy~~ Fund.

10 (Source: P.A. 91-476, eff. 8-11-99.)

11 (35 ILCS 10/5-85 rep.)

12 Section 5-35. The Economic Development for a Growing
13 Economy Tax Credit Act is amended by repealing Section 5-85.

14 (110 ILCS 805/2-16.03 rep.)

15 Section 5-40. The Public Community College Act is amended
16 by repealing Section 2-16.03.

17 Section 5-45. The Higher Education Student Assistance Act
18 is amended by changing Section 35 as follows:

19 (110 ILCS 947/35)

20 Sec. 35. Monetary award program.

21 (a) The Commission shall, each year, receive and consider

1 applications for grant assistance under this Section. Subject
2 to a separate appropriation for such purposes, an applicant is
3 eligible for a grant under this Section when the Commission
4 finds that the applicant:

5 (1) is a resident of this State and a citizen or
6 permanent resident of the United States; and

7 (2) in the absence of grant assistance, will be
8 deterred by financial considerations from completing an
9 educational program at the qualified institution of his or
10 her choice.

11 (b) The Commission shall award renewals only upon the
12 student's application and upon the Commission's finding that
13 the applicant:

14 (1) has remained a student in good standing;

15 (2) remains a resident of this State; and

16 (3) is in a financial situation that continues to
17 warrant assistance.

18 (c) All grants shall be applicable only to tuition and
19 necessary fee costs. The Commission shall determine the grant
20 amount for each student, which shall not exceed the smallest of
21 the following amounts:

22 (1) subject to appropriation, \$5,468 for fiscal year
23 2009, \$5,968 for fiscal year 2010, and \$6,468 for fiscal
24 year 2011 and each fiscal year thereafter, or such lesser
25 amount as the Commission finds to be available, during an
26 academic year;

1 (2) the amount which equals 2 semesters or 3 quarters
2 tuition and other necessary fees required generally by the
3 institution of all full-time undergraduate students; or

4 (3) such amount as the Commission finds to be
5 appropriate in view of the applicant's financial
6 resources.

7 Subject to appropriation, the maximum grant amount for
8 students not subject to subdivision (1) of this subsection (c)
9 must be increased by the same percentage as any increase made
10 by law to the maximum grant amount under subdivision (1) of
11 this subsection (c).

12 "Tuition and other necessary fees" as used in this Section
13 include the customary charge for instruction and use of
14 facilities in general, and the additional fixed fees charged
15 for specified purposes, which are required generally of
16 nongrant recipients for each academic period for which the
17 grant applicant actually enrolls, but do not include fees
18 payable only once or breakage fees and other contingent
19 deposits which are refundable in whole or in part. The
20 Commission may prescribe, by rule not inconsistent with this
21 Section, detailed provisions concerning the computation of
22 tuition and other necessary fees.

23 (d) No applicant, including those presently receiving
24 scholarship assistance under this Act, is eligible for monetary
25 award program consideration under this Act after receiving a
26 baccalaureate degree or the equivalent of 135 semester credit

1 hours of award payments.

2 (e) The Commission, in determining the number of grants to
3 be offered, shall take into consideration past experience with
4 the rate of grant funds unclaimed by recipients. The Commission
5 shall notify applicants that grant assistance is contingent
6 upon the availability of appropriated funds.

7 (e-5) The General Assembly finds and declares that it is an
8 important purpose of the Monetary Award Program to facilitate
9 access to college both for students who pursue postsecondary
10 education immediately following high school and for those who
11 pursue postsecondary education later in life, particularly
12 Illinoisans who are dislocated workers with financial need and
13 who are seeking to improve their economic position through
14 education. For the 2015-2016 and 2016-2017 academic years, the
15 Commission shall give additional and specific consideration to
16 the needs of dislocated workers with the intent of allowing
17 applicants who are dislocated workers an opportunity to secure
18 financial assistance even if applying later than the general
19 pool of applicants. The Commission's consideration shall
20 include, in determining the number of grants to be offered, an
21 estimate of the resources needed to serve dislocated workers
22 who apply after the Commission initially suspends award
23 announcements for the upcoming regular academic year, but prior
24 to the beginning of that academic year. For the purposes of
25 this subsection (e-5), a dislocated worker is defined as in the
26 federal Workforce Investment Act of 1998.

1 (f) (Blank). ~~The Commission may request appropriations for~~
2 ~~deposit into the Monetary Award Program Reserve Fund. Monies~~
3 ~~deposited into the Monetary Award Program Reserve Fund may be~~
4 ~~expended exclusively for one purpose: to make Monetary Award~~
5 ~~Program grants to eligible students. Amounts on deposit in the~~
6 ~~Monetary Award Program Reserve Fund may not exceed 2% of the~~
7 ~~current annual State appropriation for the Monetary Award~~
8 ~~Program.~~

9 ~~The purpose of the Monetary Award Program Reserve Fund is~~
10 ~~to enable the Commission each year to assure as many students~~
11 ~~as possible of their eligibility for a Monetary Award Program~~
12 ~~grant and to do so before commencement of the academic year.~~
13 ~~Moneys deposited in this Reserve Fund are intended to enhance~~
14 ~~the Commission's management of the Monetary Award Program,~~
15 ~~minimizing the necessity, magnitude, and frequency of~~
16 ~~adjusting award amounts and ensuring that the annual Monetary~~
17 ~~Award Program appropriation can be fully utilized.~~

18 (g) The Commission shall determine the eligibility of and
19 make grants to applicants enrolled at qualified for-profit
20 institutions in accordance with the criteria set forth in this
21 Section. The eligibility of applicants enrolled at such
22 for-profit institutions shall be limited as follows:

23 (1) Beginning with the academic year 1997, only to
24 eligible first-time freshmen and first-time transfer
25 students who have attained an associate degree.

26 (2) Beginning with the academic year 1998, only to

1 eligible freshmen students, transfer students who have
2 attained an associate degree, and students who receive a
3 grant under paragraph (1) for the academic year 1997 and
4 whose grants are being renewed for the academic year 1998.

5 (3) Beginning with the academic year 1999, to all
6 eligible students.

7 (Source: P.A. 98-967, eff. 8-15-14.)

8 Section 5-50. The Alzheimer's Disease Assistance Act is
9 amended by changing Section 7 as follows:

10 (410 ILCS 405/7) (from Ch. 111 1/2, par. 6957)

11 Sec. 7. Regional ADA center funding. Pursuant to
12 appropriations enacted by the General Assembly, the Department
13 shall provide funds to hospitals affiliated with each Regional
14 ADA Center for necessary research and for the development and
15 maintenance of services for individuals with Alzheimer's
16 disease and related disorders and their families. For the
17 fiscal year beginning July 1, 2003, and each year thereafter,
18 the Department shall effect payments under this Section to
19 hospitals affiliated with each Regional ADA Center through the
20 Department of Healthcare and Family Services (formerly
21 Illinois Department of Public Aid) ~~under the Excellence in~~
22 ~~Alzheimer's Disease Center Treatment Act.~~ The Department of
23 Healthcare and Family Services shall annually report to the
24 Advisory Committee established under this Act regarding the

1 funding of centers under this Act. The Department shall include
2 the annual expenditures for this purpose in the plan required
3 by Section 5 of this Act.

4 (Source: P.A. 97-768, eff. 1-1-13.)

5 (410 ILCS 407/Act rep.)

6 Section 5-55. The Excellence in Alzheimer's Disease Center
7 Treatment Act is repealed.

8 Section 5-60. The Food and Agriculture Research Act is
9 amended by changing Section 25 as follows:

10 (505 ILCS 82/25)

11 Sec. 25. Administrative oversight.

12 (a) The Department of Agriculture shall provide general
13 administrative oversight with the assistance and advice of duly
14 elected Board of Directors of the Illinois Council on Food and
15 Agricultural Research. Food and agricultural research
16 administrators at each of the universities shall administer the
17 specifics of the funded research programs. Annually the
18 Illinois Council on Food and Agricultural Research
19 administrators shall prepare a combined proposed budget for the
20 research that the Director of Agriculture shall submit to the
21 Governor for inclusion in the Executive budget and
22 consideration by the General Assembly. The budget shall specify
23 major categories of proposed expenditures, including salary,

1 wages, and fringe benefits; operation and maintenance;
2 supplies and expenses; and capital improvements.

3 (b) (Blank). ~~The Department, with the assistance of the~~
4 ~~Illinois Council on Food and Agricultural Research, may seek~~
5 ~~additional grants and donations for research. Additional funds~~
6 ~~shall be used in conjunction with appropriated funds for~~
7 ~~research. All additional grants and donations for research~~
8 ~~shall be deposited into the Food and Agricultural Research~~
9 ~~Fund, a special fund created in the State treasury, and used as~~
10 ~~provided in this Act.~~

11 (Source: P.A. 97-879, eff. 8-2-12.)

12 (710 ILCS 45/Act rep.)

13 Section 5-65. The Sorry Works! Pilot Program Act is
14 repealed.

15 (815 ILCS 402/Act rep.)

16 Section 5-70. The Restricted Call Registry Act is repealed.

17 ARTICLE 10. MANDATE RELIEF

18 (15 ILCS 550/Act rep.)

19 Section 10-10. The Public Education Affinity Credit Card
20 Act is repealed.

21 Section 10-15. The Illinois Act on the Aging is amended by

1 changing Section 4.14 as follows:

2 (20 ILCS 105/4.14)

3 Sec. 4.14. Rural Senior Citizen Program.

4 (a) The General Assembly finds that it is in the best
5 interest of the citizens of Illinois to identify and address
6 the special challenges and needs faced by older rural
7 residents. The General Assembly further finds that rural areas
8 are often under-served and unserved to the detriment of older
9 residents and their families, which may require the allocation
10 of additional resources.

11 (b) The Department shall identify the special needs and
12 problems of older rural residents and evaluate the adequacy and
13 accessibility of existing programs and information for older
14 rural residents. The scope of the Department's work shall
15 encompass both Older American Act services, Community Care
16 services, and all other services targeted in whole or in part
17 at residents 60 years of age and older, regardless of the
18 setting in which the service is provided.

19 (c) (Blank). ~~The Older Rural Adults Task Force is~~
20 ~~established to gather information and make recommendations in~~
21 ~~collaboration with the Department on Aging and the Older Adult~~
22 ~~Services Committee. The Task Force shall be comprised of 12~~
23 ~~voting members and 7 non-voting members. The President and~~
24 ~~Minority Leader of the Illinois Senate and the Speaker and~~
25 ~~Minority Leader of the Illinois House of Representatives shall~~

1 ~~each appoint 2 members of the General Assembly and one citizen~~
2 ~~member to the Task Force. Citizen members may seek~~
3 ~~reimbursement for actual travel expenses. Representatives of~~
4 ~~the Department on Aging and the Departments of Healthcare and~~
5 ~~Family Services, Human Services, Public Health, and Commerce~~
6 ~~and Economic Opportunity, the Rural Affairs Council, and the~~
7 ~~Illinois Housing Development Authority shall serve as~~
8 ~~non voting members. The Department on Aging shall provide staff~~
9 ~~support to the Task Force.~~

10 ~~Co chairs shall be selected by the Task Force at its first~~
11 ~~meeting. Both shall be appointed voting members of the Task~~
12 ~~Force. One co chair shall be a member of the General Assembly~~
13 ~~and one shall be a citizen member. A simple majority of those~~
14 ~~appointed shall constitute a quorum. The Task Force may hold~~
15 ~~regional hearings and fact finding meetings and shall submit a~~
16 ~~report to the General Assembly no later than January 1, 2009.~~
17 ~~The Task Force is dissolved upon submission of the report.~~

18 (Source: P.A. 95-89, eff. 8-13-07.)

19 (20 ILCS 605/605-312 rep.)

20 (20 ILCS 605/605-817 rep.)

21 Section 10-20. The Department of Commerce and Economic
22 Opportunity Law of the Civil Administrative Code of Illinois is
23 amended by repealing Sections 605-312 and 605-817.

24 (20 ILCS 685/Act rep.)

1 Section 10-40. The Particle Accelerator Land Acquisition
2 Act is repealed.

3 Section 10-45. The Illinois Geographic Information Council
4 Act is amended by changing Section 5-5 as follows:

5 (20 ILCS 1128/5-5)

6 Sec. 5-5. Council. The Illinois Geographic Information
7 Council, hereinafter called the "Council", is created within
8 the Department of Natural Resources.

9 The Council shall consist of 15 ~~17~~ voting members, as
10 follows: the Illinois Secretary of State, the Illinois
11 Secretary of Transportation, the Directors of the Illinois
12 Departments of Agriculture, Central Management Services,
13 ~~Commerce and Economic Opportunity, Nuclear Safety,~~ Public
14 Health, Natural Resources, and Revenue, the Directors of the
15 Illinois Emergency Management Agency and the Illinois
16 Environmental Protection Agency, the President of the
17 University of Illinois, the Chairman of the Illinois Commerce
18 Commission, plus 4 members of the General Assembly, one each
19 appointed by the Speaker and Minority Leader of the House and
20 the President and Minority Leader of the Senate. An ex officio
21 voting member may designate another person to carry out his or
22 her duties on the Council.

23 In addition to the above members, the Governor may appoint
24 up to 10 additional voting members, representing local,

1 regional, and federal agencies, professional organizations,
2 academic institutions, public utilities, and the private
3 sector.

4 Members appointed by the Governor shall serve at the
5 pleasure of the Governor.

6 (Source: P.A. 94-793, eff. 5-19-06; 94-961, eff. 6-27-06.)

7 Section 10-55. The Illinois Criminal Justice Information
8 Act is amended by changing Section 7 as follows:

9 (20 ILCS 3930/7) (from Ch. 38, par. 210-7)

10 Sec. 7. Powers and Duties. The Authority shall have the
11 following powers, duties and responsibilities:

12 (a) To develop and operate comprehensive information
13 systems for the improvement and coordination of all aspects
14 of law enforcement, prosecution and corrections;

15 (b) To define, develop, evaluate and correlate State
16 and local programs and projects associated with the
17 improvement of law enforcement and the administration of
18 criminal justice;

19 (c) To act as a central repository and clearing house
20 for federal, state and local research studies, plans,
21 projects, proposals and other information relating to all
22 aspects of criminal justice system improvement and to
23 encourage educational programs for citizen support of
24 State and local efforts to make such improvements;

1 (d) To undertake research studies to aid in
2 accomplishing its purposes;

3 (e) To monitor the operation of existing criminal
4 justice information systems in order to protect the
5 constitutional rights and privacy of individuals about
6 whom criminal history record information has been
7 collected;

8 (f) To provide an effective administrative forum for
9 the protection of the rights of individuals concerning
10 criminal history record information;

11 (g) To issue regulations, guidelines and procedures
12 which ensure the privacy and security of criminal history
13 record information consistent with State and federal laws;

14 (h) To act as the sole administrative appeal body in
15 the State of Illinois to conduct hearings and make final
16 determinations concerning individual challenges to the
17 completeness and accuracy of criminal history record
18 information;

19 (i) To act as the sole, official, criminal justice body
20 in the State of Illinois to conduct annual and periodic
21 audits of the procedures, policies, and practices of the
22 State central repositories for criminal history record
23 information to verify compliance with federal and state
24 laws and regulations governing such information;

25 (j) To advise the Authority's Statistical Analysis
26 Center;

1 (k) To apply for, receive, establish priorities for,
2 allocate, disburse and spend grants of funds that are made
3 available by and received on or after January 1, 1983 from
4 private sources or from the United States pursuant to the
5 federal Crime Control Act of 1973, as amended, and similar
6 federal legislation, and to enter into agreements with the
7 United States government to further the purposes of this
8 Act, or as may be required as a condition of obtaining
9 federal funds;

10 (l) To receive, expend and account for such funds of
11 the State of Illinois as may be made available to further
12 the purposes of this Act;

13 (m) To enter into contracts and to cooperate with units
14 of general local government or combinations of such units,
15 State agencies, and criminal justice system agencies of
16 other states for the purpose of carrying out the duties of
17 the Authority imposed by this Act or by the federal Crime
18 Control Act of 1973, as amended;

19 (n) To enter into contracts and cooperate with units of
20 general local government outside of Illinois, other
21 states' agencies, and private organizations outside of
22 Illinois to provide computer software or design that has
23 been developed for the Illinois criminal justice system, or
24 to participate in the cooperative development or design of
25 new software or systems to be used by the Illinois criminal
26 justice system. ~~Revenues received as a result of such~~

1 ~~arrangements shall be deposited in the Criminal Justice~~
2 ~~Information Systems Trust Fund.~~

3 (o) To establish general policies concerning criminal
4 justice information systems and to promulgate such rules,
5 regulations and procedures as are necessary to the
6 operation of the Authority and to the uniform consideration
7 of appeals and audits;

8 (p) To advise and to make recommendations to the
9 Governor and the General Assembly on policies relating to
10 criminal justice information systems;

11 (q) To direct all other agencies under the jurisdiction
12 of the Governor to provide whatever assistance and
13 information the Authority may lawfully require to carry out
14 its functions;

15 (r) To exercise any other powers that are reasonable
16 and necessary to fulfill the responsibilities of the
17 Authority under this Act and to comply with the
18 requirements of applicable federal law or regulation;

19 (s) To exercise the rights, powers and duties which
20 have been vested in the Authority by the "Illinois Uniform
21 Conviction Information Act", enacted by the 85th General
22 Assembly, as hereafter amended;

23 (t) To exercise the rights, powers and duties which
24 have been vested in the Authority by the Illinois Motor
25 Vehicle Theft Prevention Act;

26 (u) To exercise the rights, powers, and duties vested

1 in the Authority by the Illinois Public Safety Agency
2 Network Act; and

3 (v) To provide technical assistance in the form of
4 training to local governmental entities within Illinois
5 requesting such assistance for the purposes of procuring
6 grants for gang intervention and gang prevention programs
7 or other criminal justice programs from the United States
8 Department of Justice.

9 The requirement for reporting to the General Assembly shall
10 be satisfied by filing copies of the report with the Speaker,
11 the Minority Leader and the Clerk of the House of
12 Representatives and the President, the Minority Leader and the
13 Secretary of the Senate and the Legislative Research Unit, as
14 required by Section 3.1 of "An Act to revise the law in
15 relation to the General Assembly", approved February 25, 1874,
16 as amended, and filing such additional copies with the State
17 Government Report Distribution Center for the General Assembly
18 as is required under paragraph (t) of Section 7 of the State
19 Library Act.

20 (Source: P.A. 97-435, eff. 1-1-12.)

21 (20 ILCS 3965/Act rep.)

22 Section 10-60. The Illinois Economic Development Board Act
23 is repealed.

24 (20 ILCS 4065/Act rep.)

1 Section 10-65. The Illinois Children's Savings Accounts
2 Act is repealed.

3 (20 ILCS 5000/Act rep.)

4 Section 10-70. The Task Force on Inventorying Employment
5 Restrictions Act is repealed.

6 (30 ILCS 577/35-20 rep.)

7 Section 10-80. The State Construction Minority and Female
8 Building Trades Act is amended by repealing Section 35-20.

9 (30 ILCS 750/9-4.5 rep.)

10 (30 ILCS 750/11-4 rep.)

11 Section 10-85. The Build Illinois Act is amended by
12 repealing Sections 9-4.5 and 11-4.

13 Section 10-90. The Illinois Income Tax Act is amended by
14 changing Section 901 as follows:

15 (35 ILCS 5/901) (from Ch. 120, par. 9-901)

16 Sec. 901. Collection authority.

17 (a) In general.

18 The Department shall collect the taxes imposed by this Act.
19 The Department shall collect certified past due child support
20 amounts under Section 2505-650 of the Department of Revenue Law
21 (20 ILCS 2505/2505-650). Except as provided in subsections (c),

1 (e), (f), (g), and (h) of this Section, money collected
2 pursuant to subsections (a) and (b) of Section 201 of this Act
3 shall be paid into the General Revenue Fund in the State
4 treasury; money collected pursuant to subsections (c) and (d)
5 of Section 201 of this Act shall be paid into the Personal
6 Property Tax Replacement Fund, a special fund in the State
7 Treasury; and money collected under Section 2505-650 of the
8 Department of Revenue Law (20 ILCS 2505/2505-650) shall be paid
9 into the Child Support Enforcement Trust Fund, a special fund
10 outside the State Treasury, or to the State Disbursement Unit
11 established under Section 10-26 of the Illinois Public Aid
12 Code, as directed by the Department of Healthcare and Family
13 Services.

14 (b) Local Government Distributive Fund.

15 Beginning August 1, 1969, and continuing through June 30,
16 1994, the Treasurer shall transfer each month from the General
17 Revenue Fund to a special fund in the State treasury, to be
18 known as the "Local Government Distributive Fund", an amount
19 equal to 1/12 of the net revenue realized from the tax imposed
20 by subsections (a) and (b) of Section 201 of this Act during
21 the preceding month. Beginning July 1, 1994, and continuing
22 through June 30, 1995, the Treasurer shall transfer each month
23 from the General Revenue Fund to the Local Government
24 Distributive Fund an amount equal to 1/11 of the net revenue
25 realized from the tax imposed by subsections (a) and (b) of
26 Section 201 of this Act during the preceding month. Beginning

1 July 1, 1995 and continuing through January 31, 2011, the
2 Treasurer shall transfer each month from the General Revenue
3 Fund to the Local Government Distributive Fund an amount equal
4 to the net of (i) 1/10 of the net revenue realized from the tax
5 imposed by subsections (a) and (b) of Section 201 of the
6 Illinois Income Tax Act during the preceding month (ii) minus,
7 beginning July 1, 2003 and ending June 30, 2004, \$6,666,666,
8 and beginning July 1, 2004, zero. Beginning February 1, 2011,
9 and continuing through January 31, 2015, the Treasurer shall
10 transfer each month from the General Revenue Fund to the Local
11 Government Distributive Fund an amount equal to the sum of (i)
12 6% (10% of the ratio of the 3% individual income tax rate prior
13 to 2011 to the 5% individual income tax rate after 2010) of the
14 net revenue realized from the tax imposed by subsections (a)
15 and (b) of Section 201 of this Act upon individuals, trusts,
16 and estates during the preceding month and (ii) 6.86% (10% of
17 the ratio of the 4.8% corporate income tax rate prior to 2011
18 to the 7% corporate income tax rate after 2010) of the net
19 revenue realized from the tax imposed by subsections (a) and
20 (b) of Section 201 of this Act upon corporations during the
21 preceding month. Beginning February 1, 2015 and continuing
22 through January 31, 2025, the Treasurer shall transfer each
23 month from the General Revenue Fund to the Local Government
24 Distributive Fund an amount equal to the sum of (i) 8% (10% of
25 the ratio of the 3% individual income tax rate prior to 2011 to
26 the 3.75% individual income tax rate after 2014) of the net

1 revenue realized from the tax imposed by subsections (a) and
2 (b) of Section 201 of this Act upon individuals, trusts, and
3 estates during the preceding month and (ii) 9.14% (10% of the
4 ratio of the 4.8% corporate income tax rate prior to 2011 to
5 the 5.25% corporate income tax rate after 2014) of the net
6 revenue realized from the tax imposed by subsections (a) and
7 (b) of Section 201 of this Act upon corporations during the
8 preceding month. Beginning February 1, 2025, the Treasurer
9 shall transfer each month from the General Revenue Fund to the
10 Local Government Distributive Fund an amount equal to the sum
11 of (i) 9.23% (10% of the ratio of the 3% individual income tax
12 rate prior to 2011 to the 3.25% individual income tax rate
13 after 2024) of the net revenue realized from the tax imposed by
14 subsections (a) and (b) of Section 201 of this Act upon
15 individuals, trusts, and estates during the preceding month and
16 (ii) 10% of the net revenue realized from the tax imposed by
17 subsections (a) and (b) of Section 201 of this Act upon
18 corporations during the preceding month. Net revenue realized
19 for a month shall be defined as the revenue from the tax
20 imposed by subsections (a) and (b) of Section 201 of this Act
21 which is deposited in the General Revenue Fund, the Education
22 Assistance Fund, the Income Tax Surcharge Local Government
23 Distributive Fund, the Fund for the Advancement of Education,
24 and the Commitment to Human Services Fund during the month
25 minus the amount paid out of the General Revenue Fund in State
26 warrants during that same month as refunds to taxpayers for

1 overpayment of liability under the tax imposed by subsections
2 (a) and (b) of Section 201 of this Act.

3 Beginning on August 26, 2014 (the effective date of Public
4 Act 98-1052), the Comptroller shall perform the transfers
5 required by this subsection (b) no later than 60 days after he
6 or she receives the certification from the Treasurer as
7 provided in Section 1 of the State Revenue Sharing Act.

8 (c) Deposits Into Income Tax Refund Fund.

9 (1) Beginning on January 1, 1989 and thereafter, the
10 Department shall deposit a percentage of the amounts
11 collected pursuant to subsections (a) and (b)(1), (2), and
12 (3), of Section 201 of this Act into a fund in the State
13 treasury known as the Income Tax Refund Fund. The
14 Department shall deposit 6% of such amounts during the
15 period beginning January 1, 1989 and ending on June 30,
16 1989. Beginning with State fiscal year 1990 and for each
17 fiscal year thereafter, the percentage deposited into the
18 Income Tax Refund Fund during a fiscal year shall be the
19 Annual Percentage. For fiscal years 1999 through 2001, the
20 Annual Percentage shall be 7.1%. For fiscal year 2003, the
21 Annual Percentage shall be 8%. For fiscal year 2004, the
22 Annual Percentage shall be 11.7%. Upon the effective date
23 of this amendatory Act of the 93rd General Assembly, the
24 Annual Percentage shall be 10% for fiscal year 2005. For
25 fiscal year 2006, the Annual Percentage shall be 9.75%. For
26 fiscal year 2007, the Annual Percentage shall be 9.75%. For

1 fiscal year 2008, the Annual Percentage shall be 7.75%. For
2 fiscal year 2009, the Annual Percentage shall be 9.75%. For
3 fiscal year 2010, the Annual Percentage shall be 9.75%. For
4 fiscal year 2011, the Annual Percentage shall be 8.75%. For
5 fiscal year 2012, the Annual Percentage shall be 8.75%. For
6 fiscal year 2013, the Annual Percentage shall be 9.75%. For
7 fiscal year 2014, the Annual Percentage shall be 9.5%. For
8 fiscal year 2015, the Annual Percentage shall be 10%. For
9 all other fiscal years, the Annual Percentage shall be
10 calculated as a fraction, the numerator of which shall be
11 the amount of refunds approved for payment by the
12 Department during the preceding fiscal year as a result of
13 overpayment of tax liability under subsections (a) and
14 (b) (1), (2), and (3) of Section 201 of this Act plus the
15 amount of such refunds remaining approved but unpaid at the
16 end of the preceding fiscal year, minus the amounts
17 transferred into the Income Tax Refund Fund from the
18 Tobacco Settlement Recovery Fund, and the denominator of
19 which shall be the amounts which will be collected pursuant
20 to subsections (a) and (b) (1), (2), and (3) of Section 201
21 of this Act during the preceding fiscal year; except that
22 in State fiscal year 2002, the Annual Percentage shall in
23 no event exceed 7.6%. The Director of Revenue shall certify
24 the Annual Percentage to the Comptroller on the last
25 business day of the fiscal year immediately preceding the
26 fiscal year for which it is to be effective.

1 (2) Beginning on January 1, 1989 and thereafter, the
2 Department shall deposit a percentage of the amounts
3 collected pursuant to subsections (a) and (b) (6), (7), and
4 (8), (c) and (d) of Section 201 of this Act into a fund in
5 the State treasury known as the Income Tax Refund Fund. The
6 Department shall deposit 18% of such amounts during the
7 period beginning January 1, 1989 and ending on June 30,
8 1989. Beginning with State fiscal year 1990 and for each
9 fiscal year thereafter, the percentage deposited into the
10 Income Tax Refund Fund during a fiscal year shall be the
11 Annual Percentage. For fiscal years 1999, 2000, and 2001,
12 the Annual Percentage shall be 19%. For fiscal year 2003,
13 the Annual Percentage shall be 27%. For fiscal year 2004,
14 the Annual Percentage shall be 32%. Upon the effective date
15 of this amendatory Act of the 93rd General Assembly, the
16 Annual Percentage shall be 24% for fiscal year 2005. For
17 fiscal year 2006, the Annual Percentage shall be 20%. For
18 fiscal year 2007, the Annual Percentage shall be 17.5%. For
19 fiscal year 2008, the Annual Percentage shall be 15.5%. For
20 fiscal year 2009, the Annual Percentage shall be 17.5%. For
21 fiscal year 2010, the Annual Percentage shall be 17.5%. For
22 fiscal year 2011, the Annual Percentage shall be 17.5%. For
23 fiscal year 2012, the Annual Percentage shall be 17.5%. For
24 fiscal year 2013, the Annual Percentage shall be 14%. For
25 fiscal year 2014, the Annual Percentage shall be 13.4%. For
26 fiscal year 2015, the Annual Percentage shall be 14%. For

1 all other fiscal years, the Annual Percentage shall be
2 calculated as a fraction, the numerator of which shall be
3 the amount of refunds approved for payment by the
4 Department during the preceding fiscal year as a result of
5 overpayment of tax liability under subsections (a) and
6 (b) (6), (7), and (8), (c) and (d) of Section 201 of this
7 Act plus the amount of such refunds remaining approved but
8 unpaid at the end of the preceding fiscal year, and the
9 denominator of which shall be the amounts which will be
10 collected pursuant to subsections (a) and (b) (6), (7), and
11 (8), (c) and (d) of Section 201 of this Act during the
12 preceding fiscal year; except that in State fiscal year
13 2002, the Annual Percentage shall in no event exceed 23%.
14 The Director of Revenue shall certify the Annual Percentage
15 to the Comptroller on the last business day of the fiscal
16 year immediately preceding the fiscal year for which it is
17 to be effective.

18 (3) The Comptroller shall order transferred and the
19 Treasurer shall transfer from the Tobacco Settlement
20 Recovery Fund to the Income Tax Refund Fund (i) \$35,000,000
21 in January, 2001, (ii) \$35,000,000 in January, 2002, and
22 (iii) \$35,000,000 in January, 2003.

23 (d) Expenditures from Income Tax Refund Fund.

24 (1) Beginning January 1, 1989, money in the Income Tax
25 Refund Fund shall be expended exclusively for the purpose
26 of paying refunds resulting from overpayment of tax

1 liability under Section 201 of this Act, ~~for paying rebates~~
2 ~~under Section 208.1 in the event that the amounts in the~~
3 ~~Homeowners' Tax Relief Fund are insufficient for that~~
4 ~~purpose,~~ and for making transfers pursuant to this
5 subsection (d).

6 (2) The Director shall order payment of refunds
7 resulting from overpayment of tax liability under Section
8 201 of this Act from the Income Tax Refund Fund only to the
9 extent that amounts collected pursuant to Section 201 of
10 this Act and transfers pursuant to this subsection (d) and
11 item (3) of subsection (c) have been deposited and retained
12 in the Fund.

13 (3) As soon as possible after the end of each fiscal
14 year, the Director shall order transferred and the State
15 Treasurer and State Comptroller shall transfer from the
16 Income Tax Refund Fund to the Personal Property Tax
17 Replacement Fund an amount, certified by the Director to
18 the Comptroller, equal to the excess of the amount
19 collected pursuant to subsections (c) and (d) of Section
20 201 of this Act deposited into the Income Tax Refund Fund
21 during the fiscal year over the amount of refunds resulting
22 from overpayment of tax liability under subsections (c) and
23 (d) of Section 201 of this Act paid from the Income Tax
24 Refund Fund during the fiscal year.

25 (4) As soon as possible after the end of each fiscal
26 year, the Director shall order transferred and the State

1 Treasurer and State Comptroller shall transfer from the
2 Personal Property Tax Replacement Fund to the Income Tax
3 Refund Fund an amount, certified by the Director to the
4 Comptroller, equal to the excess of the amount of refunds
5 resulting from overpayment of tax liability under
6 subsections (c) and (d) of Section 201 of this Act paid
7 from the Income Tax Refund Fund during the fiscal year over
8 the amount collected pursuant to subsections (c) and (d) of
9 Section 201 of this Act deposited into the Income Tax
10 Refund Fund during the fiscal year.

11 (4.5) As soon as possible after the end of fiscal year
12 1999 and of each fiscal year thereafter, the Director shall
13 order transferred and the State Treasurer and State
14 Comptroller shall transfer from the Income Tax Refund Fund
15 to the General Revenue Fund any surplus remaining in the
16 Income Tax Refund Fund as of the end of such fiscal year;
17 excluding for fiscal years 2000, 2001, and 2002 amounts
18 attributable to transfers under item (3) of subsection (c)
19 less refunds resulting from the earned income tax credit.

20 (5) This Act shall constitute an irrevocable and
21 continuing appropriation from the Income Tax Refund Fund
22 for the purpose of paying refunds upon the order of the
23 Director in accordance with the provisions of this Section.

24 (e) Deposits into the Education Assistance Fund and the
25 Income Tax Surcharge Local Government Distributive Fund.

26 On July 1, 1991, and thereafter, of the amounts collected

1 pursuant to subsections (a) and (b) of Section 201 of this Act,
2 minus deposits into the Income Tax Refund Fund, the Department
3 shall deposit 7.3% into the Education Assistance Fund in the
4 State Treasury. Beginning July 1, 1991, and continuing through
5 January 31, 1993, of the amounts collected pursuant to
6 subsections (a) and (b) of Section 201 of the Illinois Income
7 Tax Act, minus deposits into the Income Tax Refund Fund, the
8 Department shall deposit 3.0% into the Income Tax Surcharge
9 Local Government Distributive Fund in the State Treasury.
10 Beginning February 1, 1993 and continuing through June 30,
11 1993, of the amounts collected pursuant to subsections (a) and
12 (b) of Section 201 of the Illinois Income Tax Act, minus
13 deposits into the Income Tax Refund Fund, the Department shall
14 deposit 4.4% into the Income Tax Surcharge Local Government
15 Distributive Fund in the State Treasury. Beginning July 1,
16 1993, and continuing through June 30, 1994, of the amounts
17 collected under subsections (a) and (b) of Section 201 of this
18 Act, minus deposits into the Income Tax Refund Fund, the
19 Department shall deposit 1.475% into the Income Tax Surcharge
20 Local Government Distributive Fund in the State Treasury.

21 (f) Deposits into the Fund for the Advancement of
22 Education. Beginning February 1, 2015, the Department shall
23 deposit the following portions of the revenue realized from the
24 tax imposed upon individuals, trusts, and estates by
25 subsections (a) and (b) of Section 201 of this Act during the
26 preceding month, minus deposits into the Income Tax Refund

1 Fund, into the Fund for the Advancement of Education:

2 (1) beginning February 1, 2015, and prior to February
3 1, 2025, 1/30; and

4 (2) beginning February 1, 2025, 1/26.

5 If the rate of tax imposed by subsection (a) and (b) of
6 Section 201 is reduced pursuant to Section 201.5 of this Act,
7 the Department shall not make the deposits required by this
8 subsection (f) on or after the effective date of the reduction.

9 (g) Deposits into the Commitment to Human Services Fund.
10 Beginning February 1, 2015, the Department shall deposit the
11 following portions of the revenue realized from the tax imposed
12 upon individuals, trusts, and estates by subsections (a) and
13 (b) of Section 201 of this Act during the preceding month,
14 minus deposits into the Income Tax Refund Fund, into the
15 Commitment to Human Services Fund:

16 (1) beginning February 1, 2015, and prior to February
17 1, 2025, 1/30; and

18 (2) beginning February 1, 2025, 1/26.

19 If the rate of tax imposed by subsection (a) and (b) of
20 Section 201 is reduced pursuant to Section 201.5 of this Act,
21 the Department shall not make the deposits required by this
22 subsection (g) on or after the effective date of the reduction.

23 (h) Deposits into the Tax Compliance and Administration
24 Fund. Beginning on the first day of the first calendar month to
25 occur on or after August 26, 2014 (the effective date of Public
26 Act 98-1098), each month the Department shall pay into the Tax

1 Compliance and Administration Fund, to be used, subject to
2 appropriation, to fund additional auditors and compliance
3 personnel at the Department, an amount equal to 1/12 of 5% of
4 the cash receipts collected during the preceding fiscal year by
5 the Audit Bureau of the Department from the tax imposed by
6 subsections (a), (b), (c), and (d) of Section 201 of this Act,
7 net of deposits into the Income Tax Refund Fund made from those
8 cash receipts.

9 (Source: P.A. 98-24, eff. 6-19-13; 98-674, eff. 6-30-14;
10 98-1052, eff. 8-26-14; 98-1098, eff. 8-26-14; 99-78, eff.
11 7-20-15.)

12 Section 10-95. The Property Tax Code is amended by changing
13 Section 20-15 as follows:

14 (35 ILCS 200/20-15)

15 Sec. 20-15. Information on bill or separate statement.
16 There shall be printed on each bill, or on a separate slip
17 which shall be mailed with the bill:

18 (a) a statement itemizing the rate at which taxes have
19 been extended for each of the taxing districts in the
20 county in whose district the property is located, and in
21 those counties utilizing electronic data processing
22 equipment the dollar amount of tax due from the person
23 assessed allocable to each of those taxing districts,
24 including a separate statement of the dollar amount of tax

1 due which is allocable to a tax levied under the Illinois
2 Local Library Act or to any other tax levied by a
3 municipality or township for public library purposes,

4 (b) a separate statement for each of the taxing
5 districts of the dollar amount of tax due which is
6 allocable to a tax levied under the Illinois Pension Code
7 or to any other tax levied by a municipality or township
8 for public pension or retirement purposes,

9 (c) the total tax rate,

10 (d) the total amount of tax due, and

11 (e) the amount by which the total tax and the tax
12 allocable to each taxing district differs from the
13 taxpayer's last prior tax bill.

14 The county treasurer shall ensure that only those taxing
15 districts in which a parcel of property is located shall be
16 listed on the bill for that property.

17 In all counties the statement shall also provide:

18 (1) the property index number or other suitable
19 description,

20 (2) the assessment of the property,

21 (3) the statutory amount of each homestead exemption
22 applied to the property,

23 (4) the assessed value of the property after
24 application of all homestead exemptions,

25 (5) the equalization factors imposed by the county and
26 by the Department, and

1 (6) the equalized assessment resulting from the
2 application of the equalization factors to the basic
3 assessment.

4 In all counties which do not classify property for purposes
5 of taxation, for property on which a single family residence is
6 situated the statement shall also include a statement to
7 reflect the fair cash value determined for the property. In all
8 counties which classify property for purposes of taxation in
9 accordance with Section 4 of Article IX of the Illinois
10 Constitution, for parcels of residential property in the lowest
11 assessment classification the statement shall also include a
12 statement to reflect the fair cash value determined for the
13 property.

14 In all counties, the statement must include information
15 that certain taxpayers may be eligible for tax exemptions,
16 abatements, and other assistance programs and that, for more
17 information, taxpayers should consult with the office of their
18 township or county assessor and with the Illinois Department of
19 Revenue.

20 ~~In all counties, the statement shall include information~~
21 ~~that certain taxpayers may be eligible for the Senior Citizens~~
22 ~~and Persons with Disabilities Property Tax Relief Act and that~~
23 ~~applications are available from the Illinois Department on~~
24 ~~Aging.~~

25 In counties which use the estimated or accelerated billing
26 methods, these statements shall only be provided with the final

1 installment of taxes due. The provisions of this Section create
2 a mandatory statutory duty. They are not merely directory or
3 discretionary. The failure or neglect of the collector to mail
4 the bill, or the failure of the taxpayer to receive the bill,
5 shall not affect the validity of any tax, or the liability for
6 the payment of any tax.

7 (Source: P.A. 98-93, eff. 7-16-13; 99-143, eff. 7-27-15.)

8 Section 10-100. The Illinois Public Safety Agency Network
9 Act is amended by changing Section 5 as follows:

10 (50 ILCS 752/5)

11 Sec. 5. Definitions. As used in this Act, unless the
12 context requires otherwise:

13 "ALECS" means the Automated Law Enforcement Communications
14 System.

15 "ALERTS" means the Area-wide Law Enforcement Radio
16 Terminal System.

17 "Authority" means the Illinois Criminal Justice
18 Information Authority.

19 "Board" means the Board of Directors of Illinois Public
20 Safety Agency Network, Inc.

21 "IPSAN" or "Partnership" means Illinois Public Safety
22 Agency Network, Inc., the not-for-profit entity incorporated
23 as provided in this Act.

24 "PIMS" means the Police Information Management System.

1 ~~"Trust Fund" means the Criminal Justice Information~~
2 ~~Systems Trust Fund.~~

3 (Source: P.A. 94-896, eff. 7-1-06.)

4 (235 ILCS 5/Art. XII rep.)

5 Section 10-110. The Liquor Control Act of 1934 is amended
6 by repealing Article XII.

7 (310 ILCS 5/42 rep.)

8 (310 ILCS 5/43 rep.)

9 (310 ILCS 5/44 rep.)

10 Section 10-115. The State Housing Act is amended by
11 repealing Sections 42, 43, and 44.

12 (310 ILCS 55/Act rep.)

13 Section 10-130. The Home Ownership Made Easy Act is
14 repealed.

15 (310 ILCS 65/16 rep.)

16 Section 10-135. The Illinois Affordable Housing Act is
17 amended by repealing Section 16.

18 (315 ILCS 10/4 rep.)

19 Section 10-150. The Blighted Vacant Areas Development Act
20 of 1949 is amended by repealing Section 4.

1 (315 ILCS 35/Act rep.)

2 Section 10-165. The Urban Flooding Awareness Act is
3 repealed.

4 Section 10-170. The Older Adult Services Act is amended by
5 changing Section 35 as follows:

6 (320 ILCS 42/35)

7 Sec. 35. Older Adult Services Advisory Committee.

8 (a) The Older Adult Services Advisory Committee is created
9 to advise the directors of Aging, Healthcare and Family
10 Services, and Public Health on all matters related to this Act
11 and the delivery of services to older adults in general.

12 (b) The Advisory Committee shall be comprised of the
13 following:

14 (1) The Director of Aging or his or her designee, who
15 shall serve as chair and shall be an ex officio and
16 nonvoting member.

17 (2) The Director of Healthcare and Family Services and
18 the Director of Public Health or their designees, who shall
19 serve as vice-chairs and shall be ex officio and nonvoting
20 members.

21 (3) One representative each of the Governor's Office,
22 the Department of Healthcare and Family Services, the
23 Department of Public Health, the Department of Veterans'
24 Affairs, the Department of Human Services, the Department

1 of Insurance, ~~the Department of Commerce and Economic~~
2 ~~Opportunity~~, the Department on Aging, the Department on
3 Aging's State Long Term Care Ombudsman, the Illinois
4 Housing Finance Authority, and the Illinois Housing
5 Development Authority, each of whom shall be selected by
6 his or her respective director and shall be an ex officio
7 and nonvoting member.

8 (4) Thirty members appointed by the Director of Aging
9 in collaboration with the directors of Public Health and
10 Healthcare and Family Services, and selected from the
11 recommendations of statewide associations and
12 organizations, as follows:

13 (A) One member representing the Area Agencies on
14 Aging;

15 (B) Four members representing nursing homes or
16 licensed assisted living establishments;

17 (C) One member representing home health agencies;

18 (D) One member representing case management
19 services;

20 (E) One member representing statewide senior
21 center associations;

22 (F) One member representing Community Care Program
23 homemaker services;

24 (G) One member representing Community Care Program
25 adult day services;

26 (H) One member representing nutrition project

1 directors;

2 (I) One member representing hospice programs;

3 (J) One member representing individuals with
4 Alzheimer's disease and related dementias;

5 (K) Two members representing statewide trade or
6 labor unions;

7 (L) One advanced practice nurse with experience in
8 gerontological nursing;

9 (M) One physician specializing in gerontology;

10 (N) One member representing regional long-term
11 care ombudsmen;

12 (O) One member representing municipal, township,
13 or county officials;

14 (P) (Blank);

15 (Q) (Blank);

16 (R) One member representing the parish nurse
17 movement;

18 (S) One member representing pharmacists;

19 (T) Two members representing statewide
20 organizations engaging in advocacy or legal
21 representation on behalf of the senior population;

22 (U) Two family caregivers;

23 (V) Two citizen members over the age of 60;

24 (W) One citizen with knowledge in the area of
25 gerontology research or health care law;

26 (X) One representative of health care facilities

1 licensed under the Hospital Licensing Act; and

2 (Y) One representative of primary care service
3 providers.

4 The Director of Aging, in collaboration with the Directors
5 of Public Health and Healthcare and Family Services, may
6 appoint additional citizen members to the Older Adult Services
7 Advisory Committee. Each such additional member must be either
8 an individual age 60 or older or an uncompensated caregiver for
9 a family member or friend who is age 60 or older.

10 (c) Voting members of the Advisory Committee shall serve
11 for a term of 3 years or until a replacement is named. All
12 members shall be appointed no later than January 1, 2005. Of
13 the initial appointees, as determined by lot, 10 members shall
14 serve a term of one year; 10 shall serve for a term of 2 years;
15 and 12 shall serve for a term of 3 years. Any member appointed
16 to fill a vacancy occurring prior to the expiration of the term
17 for which his or her predecessor was appointed shall be
18 appointed for the remainder of that term. The Advisory
19 Committee shall meet at least quarterly and may meet more
20 frequently at the call of the Chair. A simple majority of those
21 appointed shall constitute a quorum. The affirmative vote of a
22 majority of those present and voting shall be necessary for
23 Advisory Committee action. Members of the Advisory Committee
24 shall receive no compensation for their services.

25 (d) The Advisory Committee shall have an Executive
26 Committee comprised of the Chair, the Vice Chairs, and up to 15

1 members of the Advisory Committee appointed by the Chair who
2 have demonstrated expertise in developing, implementing, or
3 coordinating the system restructuring initiatives defined in
4 Section 25. The Executive Committee shall have responsibility
5 to oversee and structure the operations of the Advisory
6 Committee and to create and appoint necessary subcommittees and
7 subcommittee members.

8 (e) The Advisory Committee shall study and make
9 recommendations related to the implementation of this Act,
10 including but not limited to system restructuring initiatives
11 as defined in Section 25 or otherwise related to this Act.

12 (Source: P.A. 95-331, eff. 8-21-07; 96-916, eff. 6-9-10.)

13 (410 ILCS 48/25 rep.)

14 (410 ILCS 48/30 rep.)

15 Section 10-180. The Brominated Fire Retardant Prevention
16 Act is amended by repealing Sections 25 and 30.

17 Section 10-185. The Environmental Protection Act is
18 amended by changing Sections 21.6, 22.15, 22.23, 22.28, 22.29,
19 55, and 55.6 as follows:

20 (415 ILCS 5/21.6) (from Ch. 111 1/2, par. 1021.6)

21 Sec. 21.6. Materials disposal ban.

22 (a) Beginning July 1, 1996, no person may knowingly mix
23 liquid used oil with any municipal waste that is intended for

1 collection and disposal at a landfill.

2 (b) Beginning July 1, 1996, no owner or operator of a
3 sanitary landfill shall accept for final disposal liquid used
4 oil that is discernible in the course of prudent business
5 operation.

6 (c) For purposes of this Section, "liquid used oil" does
7 not include used oil filters, rags, absorbent material used to
8 collect spilled oil or other materials incidentally
9 contaminated with used oil, or empty containers which
10 previously contained virgin oil, re-refined oil, or used oil.

11 (d) ~~(Blank). The Agency and the Department of Commerce and~~
12 ~~Economic Opportunity shall investigate the manner in which~~
13 ~~liquid used oil is currently being utilized and potential~~
14 ~~prospects for future use.~~

15 (Source: P.A. 94-793, eff. 5-19-06.)

16 (415 ILCS 5/22.15) (from Ch. 111 1/2, par. 1022.15)

17 Sec. 22.15. Solid Waste Management Fund; fees.

18 (a) There is hereby created within the State Treasury a
19 special fund to be known as the "Solid Waste Management Fund",
20 to be constituted from the fees collected by the State pursuant
21 to this Section and from repayments of loans made from the Fund
22 for solid waste projects. Moneys received by the Department of
23 Commerce and Economic Opportunity in repayment of loans made
24 pursuant to the Illinois Solid Waste Management Act shall be
25 deposited into the General Revenue Fund.

1 (b) The Agency shall assess and collect a fee in the amount
2 set forth herein from the owner or operator of each sanitary
3 landfill permitted or required to be permitted by the Agency to
4 dispose of solid waste if the sanitary landfill is located off
5 the site where such waste was produced and if such sanitary
6 landfill is owned, controlled, and operated by a person other
7 than the generator of such waste. The Agency shall deposit all
8 fees collected into the Solid Waste Management Fund. If a site
9 is contiguous to one or more landfills owned or operated by the
10 same person, the volumes permanently disposed of by each
11 landfill shall be combined for purposes of determining the fee
12 under this subsection.

13 (1) If more than 150,000 cubic yards of non-hazardous
14 solid waste is permanently disposed of at a site in a
15 calendar year, the owner or operator shall either pay a fee
16 of 95 cents per cubic yard or, alternatively, the owner or
17 operator may weigh the quantity of the solid waste
18 permanently disposed of with a device for which
19 certification has been obtained under the Weights and
20 Measures Act and pay a fee of \$2.00 per ton of solid waste
21 permanently disposed of. In no case shall the fee collected
22 or paid by the owner or operator under this paragraph
23 exceed \$1.55 per cubic yard or \$3.27 per ton.

24 (2) If more than 100,000 cubic yards but not more than
25 150,000 cubic yards of non-hazardous waste is permanently
26 disposed of at a site in a calendar year, the owner or

1 operator shall pay a fee of \$52,630.

2 (3) If more than 50,000 cubic yards but not more than
3 100,000 cubic yards of non-hazardous solid waste is
4 permanently disposed of at a site in a calendar year, the
5 owner or operator shall pay a fee of \$23,790.

6 (4) If more than 10,000 cubic yards but not more than
7 50,000 cubic yards of non-hazardous solid waste is
8 permanently disposed of at a site in a calendar year, the
9 owner or operator shall pay a fee of \$7,260.

10 (5) If not more than 10,000 cubic yards of
11 non-hazardous solid waste is permanently disposed of at a
12 site in a calendar year, the owner or operator shall pay a
13 fee of \$1050.

14 (c) (Blank).

15 (d) The Agency shall establish rules relating to the
16 collection of the fees authorized by this Section. Such rules
17 shall include, but not be limited to:

18 (1) necessary records identifying the quantities of
19 solid waste received or disposed;

20 (2) the form and submission of reports to accompany the
21 payment of fees to the Agency;

22 (3) the time and manner of payment of fees to the
23 Agency, which payments shall not be more often than
24 quarterly; and

25 (4) procedures setting forth criteria establishing
26 when an owner or operator may measure by weight or volume

1 during any given quarter or other fee payment period.

2 (e) Pursuant to appropriation, all monies in the Solid
3 Waste Management Fund shall be used by the Agency and the
4 Department of Commerce and Economic Opportunity for the
5 purposes set forth in this Section and in the Illinois Solid
6 Waste Management Act, including for the costs of fee collection
7 and administration.

8 (f) The Agency is authorized to enter into such agreements
9 and to promulgate such rules as are necessary to carry out its
10 duties under this Section and the Illinois Solid Waste
11 Management Act.

12 (g) On the first day of January, April, July, and October
13 of each year, beginning on July 1, 1996, the State Comptroller
14 and Treasurer shall transfer \$500,000 from the Solid Waste
15 Management Fund to the Hazardous Waste Fund. Moneys transferred
16 under this subsection (g) shall be used only for the purposes
17 set forth in item (1) of subsection (d) of Section 22.2.

18 (h) The Agency is authorized to provide financial
19 assistance to units of local government for the performance of
20 inspecting, investigating and enforcement activities pursuant
21 to Section 4(r) at nonhazardous solid waste disposal sites.

22 (i) The Agency is authorized ~~to support the operations of~~
23 ~~an industrial materials exchange service,~~ and to conduct
24 household waste collection and disposal programs.

25 (j) A unit of local government, as defined in the Local
26 Solid Waste Disposal Act, in which a solid waste disposal

1 facility is located may establish a fee, tax, or surcharge with
2 regard to the permanent disposal of solid waste. All fees,
3 taxes, and surcharges collected under this subsection shall be
4 utilized for solid waste management purposes, including
5 long-term monitoring and maintenance of landfills, planning,
6 implementation, inspection, enforcement and other activities
7 consistent with the Solid Waste Management Act and the Local
8 Solid Waste Disposal Act, or for any other environment-related
9 purpose, including but not limited to an environment-related
10 public works project, but not for the construction of a new
11 pollution control facility other than a household hazardous
12 waste facility. However, the total fee, tax or surcharge
13 imposed by all units of local government under this subsection
14 (j) upon the solid waste disposal facility shall not exceed:

15 (1) 60¢ per cubic yard if more than 150,000 cubic yards
16 of non-hazardous solid waste is permanently disposed of at
17 the site in a calendar year, unless the owner or operator
18 weighs the quantity of the solid waste received with a
19 device for which certification has been obtained under the
20 Weights and Measures Act, in which case the fee shall not
21 exceed \$1.27 per ton of solid waste permanently disposed
22 of.

23 (2) \$33,350 if more than 100,000 cubic yards, but not
24 more than 150,000 cubic yards, of non-hazardous waste is
25 permanently disposed of at the site in a calendar year.

26 (3) \$15,500 if more than 50,000 cubic yards, but not

1 more than 100,000 cubic yards, of non-hazardous solid waste
2 is permanently disposed of at the site in a calendar year.

3 (4) \$4,650 if more than 10,000 cubic yards, but not
4 more than 50,000 cubic yards, of non-hazardous solid waste
5 is permanently disposed of at the site in a calendar year.

6 (5) \$650 if not more than 10,000 cubic yards of
7 non-hazardous solid waste is permanently disposed of at the
8 site in a calendar year.

9 The corporate authorities of the unit of local government
10 may use proceeds from the fee, tax, or surcharge to reimburse a
11 highway commissioner whose road district lies wholly or
12 partially within the corporate limits of the unit of local
13 government for expenses incurred in the removal of
14 nonhazardous, nonfluid municipal waste that has been dumped on
15 public property in violation of a State law or local ordinance.

16 A county or Municipal Joint Action Agency that imposes a
17 fee, tax, or surcharge under this subsection may use the
18 proceeds thereof to reimburse a municipality that lies wholly
19 or partially within its boundaries for expenses incurred in the
20 removal of nonhazardous, nonfluid municipal waste that has been
21 dumped on public property in violation of a State law or local
22 ordinance.

23 If the fees are to be used to conduct a local sanitary
24 landfill inspection or enforcement program, the unit of local
25 government must enter into a written delegation agreement with
26 the Agency pursuant to subsection (r) of Section 4. The unit of

1 local government and the Agency shall enter into such a written
2 delegation agreement within 60 days after the establishment of
3 such fees. At least annually, the Agency shall conduct an audit
4 of the expenditures made by units of local government from the
5 funds granted by the Agency to the units of local government
6 for purposes of local sanitary landfill inspection and
7 enforcement programs, to ensure that the funds have been
8 expended for the prescribed purposes under the grant.

9 The fees, taxes or surcharges collected under this
10 subsection (j) shall be placed by the unit of local government
11 in a separate fund, and the interest received on the moneys in
12 the fund shall be credited to the fund. The monies in the fund
13 may be accumulated over a period of years to be expended in
14 accordance with this subsection.

15 A unit of local government, as defined in the Local Solid
16 Waste Disposal Act, shall prepare and distribute to the Agency,
17 in April of each year, a report that details spending plans for
18 monies collected in accordance with this subsection. The report
19 will at a minimum include the following:

20 (1) The total monies collected pursuant to this
21 subsection.

22 (2) The most current balance of monies collected
23 pursuant to this subsection.

24 (3) An itemized accounting of all monies expended for
25 the previous year pursuant to this subsection.

26 (4) An estimation of monies to be collected for the

1 following 3 years pursuant to this subsection.

2 (5) A narrative detailing the general direction and
3 scope of future expenditures for one, 2 and 3 years.

4 The exemptions granted under Sections 22.16 and 22.16a, and
5 under subsection (k) of this Section, shall be applicable to
6 any fee, tax or surcharge imposed under this subsection (j);
7 except that the fee, tax or surcharge authorized to be imposed
8 under this subsection (j) may be made applicable by a unit of
9 local government to the permanent disposal of solid waste after
10 December 31, 1986, under any contract lawfully executed before
11 June 1, 1986 under which more than 150,000 cubic yards (or
12 50,000 tons) of solid waste is to be permanently disposed of,
13 even though the waste is exempt from the fee imposed by the
14 State under subsection (b) of this Section pursuant to an
15 exemption granted under Section 22.16.

16 (k) In accordance with the findings and purposes of the
17 Illinois Solid Waste Management Act, beginning January 1, 1989
18 the fee under subsection (b) and the fee, tax or surcharge
19 under subsection (j) shall not apply to:

20 (1) Waste which is hazardous waste; or

21 (2) Waste which is pollution control waste; or

22 (3) Waste from recycling, reclamation or reuse
23 processes which have been approved by the Agency as being
24 designed to remove any contaminant from wastes so as to
25 render such wastes reusable, provided that the process
26 renders at least 50% of the waste reusable; or

1 (4) Non-hazardous solid waste that is received at a
2 sanitary landfill and composted or recycled through a
3 process permitted by the Agency; or

4 (5) Any landfill which is permitted by the Agency to
5 receive only demolition or construction debris or
6 landscape waste.

7 (Source: P.A. 97-333, eff. 8-12-11.)

8 (415 ILCS 5/22.23) (from Ch. 111 1/2, par. 1022.23)

9 Sec. 22.23. Batteries.

10 (a) Beginning September 1, 1990, any person selling
11 lead-acid batteries at retail or offering lead-acid batteries
12 for retail sale in this State shall:

13 (1) accept for recycling used lead-acid batteries from
14 customers, at the point of transfer, in a quantity equal to
15 the number of new batteries purchased; and

16 (2) post in a conspicuous place a written notice at
17 least 8.5 by 11 inches in size that includes the universal
18 recycling symbol and the following statements: "DO NOT put
19 motor vehicle batteries in the trash."; "Recycle your used
20 batteries."; and "State law requires us to accept motor
21 vehicle batteries for recycling, in exchange for new
22 batteries purchased."

23 (b) Any person selling lead-acid batteries at retail in
24 this State may either charge a recycling fee on each new
25 lead-acid battery sold for which the customer does not return a

1 used battery to the retailer, or provide a recycling credit to
2 each customer who returns a used battery for recycling at the
3 time of purchasing a new one.

4 (c) Beginning September 1, 1990, no lead-acid battery
5 retailer may dispose of a used lead-acid battery except by
6 delivering it (1) to a battery wholesaler or its agent, (2) to
7 a battery manufacturer, (3) to a collection or recycling
8 facility, or (4) to a secondary lead smelter permitted by
9 either a state or federal environmental agency.

10 (d) Any person selling lead-acid batteries at wholesale or
11 offering lead-acid batteries for sale at wholesale shall accept
12 for recycling used lead-acid batteries from customers, at the
13 point of transfer, in a quantity equal to the number of new
14 batteries purchased. Such used batteries shall be disposed of
15 as provided in subsection (c).

16 (e) A person who accepts used lead-acid batteries for
17 recycling pursuant to subsection (a) or (d) shall not allow
18 such batteries to accumulate for periods of more than 90 days.

19 (f) Beginning September 1, 1990, no person may knowingly
20 cause or allow:

21 (1) the placing of a lead-acid battery into any
22 container intended for collection and disposal at a
23 municipal waste sanitary landfill; or

24 (2) the disposal of any lead-acid battery in any
25 municipal waste sanitary landfill or incinerator.

26 (g) (Blank). ~~The Department of Commerce and Economic~~

1 ~~Opportunity shall identify and assist in developing~~
2 ~~alternative processing and recycling options for used~~
3 ~~batteries.~~

4 (h) For the purpose of this Section:

5 "Lead-acid battery" means a battery containing lead and
6 sulfuric acid that has a nominal voltage of at least 6 volts
7 and is intended for use in motor vehicles.

8 "Motor vehicle" includes automobiles, vans, trucks,
9 tractors, motorcycles and motorboats.

10 (i) (Blank.)

11 (j) Knowing violation of this Section shall be a petty
12 offense punishable by a fine of \$100.

13 (Source: P.A. 94-793, eff. 5-19-06.)

14 (415 ILCS 5/22.28) (from Ch. 111 1/2, par. 1022.28)

15 Sec. 22.28. White goods.

16 (a) ~~No Beginning July 1, 1994, no~~ person shall knowingly
17 offer for collection or collect white goods for the purpose of
18 disposal by landfilling unless the white good components have
19 been removed.

20 (b) ~~No Beginning July 1, 1994, no~~ owner or operator of a
21 landfill shall accept any white goods for final disposal,
22 except that white goods may be accepted if:

23 (1) (blank); ~~the landfill participates in the~~
24 ~~Industrial Materials Exchange Service by communicating the~~
25 ~~availability of white goods;~~

1 (2) prior to final disposal, any white good components
2 have been removed from the white goods; and

3 (3) ~~if white good components are removed from the white~~
4 ~~goods at the landfill,~~ a site operating plan satisfying
5 this Act has been approved under the landfill's site
6 operating permit and the conditions of the ~~such~~ operating
7 plan are met.

8 (c) For the purposes of this Section:

9 (1) "White goods" shall include all discarded
10 refrigerators, ranges, water heaters, freezers, air
11 conditioners, humidifiers and other similar domestic and
12 commercial large appliances.

13 (2) "White good components" shall include:

14 (i) any chlorofluorocarbon refrigerant gas;

15 (ii) any electrical switch containing mercury;

16 (iii) any device that contains or may contain PCBs
17 in a closed system, such as a dielectric fluid for a
18 capacitor, ballast or other component; and

19 (iv) any fluorescent lamp that contains mercury.

20 (d) The Agency is authorized to provide financial
21 assistance to units of local government from the Solid Waste
22 Management Fund to plan for and implement programs to collect,
23 transport and manage white goods. Units of local government may
24 apply jointly for financial assistance under this Section.

25 Applications for such financial assistance shall be
26 submitted to the Agency and must provide a description of:

- 1 (A) the area to be served by the program;
- 2 (B) the white goods intended to be included in the
3 program;
- 4 (C) the methods intended to be used for collecting
5 and receiving materials;
- 6 (D) the property, buildings, equipment and
7 personnel included in the program;
- 8 (E) the public education systems to be used as part
9 of the program;
- 10 (F) the safety and security systems that will be
11 used;
- 12 (G) the intended processing methods for each white
13 goods type;
- 14 (H) the intended destination for final material
15 handling location; and
- 16 (I) any staging sites used to handle collected
17 materials, the activities to be performed at such sites
18 and the procedures for assuring removal of collected
19 materials from such sites.

20 The application may be amended to reflect changes in
21 operating procedures, destinations for collected materials, or
22 other factors.

23 Financial assistance shall be awarded for a State fiscal
24 year, and may be renewed, upon application, if the Agency
25 approves the operation of the program.

26 (e) All materials collected or received under a program

1 operated with financial assistance under this Section shall be
2 recycled whenever possible. Treatment or disposal of collected
3 materials are not eligible for financial assistance unless the
4 applicant shows and the Agency approves which materials may be
5 treated or disposed of under various conditions.

6 Any revenue from the sale of materials collected under such
7 a program shall be retained by the unit of local government and
8 may be used only for the same purposes as the financial
9 assistance under this Section.

10 (f) The Agency is authorized to adopt rules necessary or
11 appropriate to the administration of this Section.

12 (g) (Blank).

13 (Source: P.A. 91-798, eff. 7-9-00; revised 10-6-16.)

14 (415 ILCS 5/22.29) (from Ch. 111 1/2, par. 1022.29)

15 Sec. 22.29. (a) Except as provided in subsection (c), any
16 waste material generated by processing recyclable metals by
17 shredding shall be managed as a special waste unless ~~(1) a site~~
18 ~~operating plan has been approved by the Agency and the~~
19 ~~conditions of such operating plan are met; and (2) the facility~~
20 ~~participates in the Industrial Materials Exchange Service by~~
21 ~~communicating availability to process recyclable metals.~~

22 (b) An operating plan submitted to the Agency under this
23 Section shall include the following concerning recyclable
24 metals processing and components which may contaminate waste
25 from shredding recyclable metals (such as lead acid batteries,

1 fuel tanks, or components that contain or may contain PCB's in
2 a closed system such as a capacitor or ballast):

3 (1) procedures for inspecting recyclable metals when
4 received to assure that such components are identified;

5 (2) a list of equipment and removal procedures to be
6 used to assure proper removal of such components;

7 (3) procedures for safe storage of such components
8 after removal and any waste materials;

9 (4) procedures to assure that such components and waste
10 materials will only be stored for a period long enough to
11 accumulate the proper quantities for off-site
12 transportation;

13 (5) identification of how such components and waste
14 materials will be managed after removal from the site to
15 assure proper handling and disposal;

16 (6) procedures for sampling and analyzing waste
17 intended for disposal or off-site handling as a waste;

18 (7) a demonstration, including analytical reports,
19 that any waste generated is not a hazardous waste and will
20 not pose a present or potential threat to human health or
21 the environment.

22 (c) Any waste generated as a result of processing
23 recyclable metals by shredding which is determined to be
24 hazardous waste shall be managed as a hazardous waste.

25 (d) The Agency is authorized to adopt rules necessary or
26 appropriate to the administration of this Section.

1 (Source: P.A. 87-806; 87-895.)

2 (415 ILCS 5/55) (from Ch. 111 1/2, par. 1055)

3 Sec. 55. Prohibited activities.

4 (a) No person shall:

5 (1) Cause or allow the open dumping of any used or
6 waste tire.

7 (2) Cause or allow the open burning of any used or
8 waste tire.

9 (3) Except at a tire storage site which contains more
10 than 50 used tires, cause or allow the storage of any used
11 tire unless the tire is altered, reprocessed, converted,
12 covered, or otherwise prevented from accumulating water.

13 (4) Cause or allow the operation of a tire storage site
14 except in compliance with Board regulations.

15 (5) Abandon, dump or dispose of any used or waste tire
16 on private or public property, except in a sanitary
17 landfill approved by the Agency pursuant to regulations
18 adopted by the Board.

19 (6) Fail to submit required reports, tire removal
20 agreements, or Board regulations.

21 (b) (Blank.)

22 (b-1) No ~~Beginning January 1, 1995,~~ no person shall
23 knowingly mix any used or waste tire, either whole or cut, with
24 municipal waste, and no owner or operator of a sanitary
25 landfill shall accept any used or waste tire for final

1 disposal; except that used or waste tires, when separated from
2 other waste, may be accepted if: ~~(1) the sanitary landfill~~
3 provides and maintains a means for shredding, slitting, or
4 chopping whole tires and so treats whole tires and, if approved
5 by the Agency in a permit issued under this Act, uses the used
6 or waste tires for alternative uses, which may include on-site
7 practices such as lining of roadways with tire scraps,
8 alternative daily cover, or use in a leachate collection system
9 ~~or (2) the sanitary landfill, by its notification to the~~
10 ~~Illinois Industrial Materials Exchange Service, makes~~
11 ~~available the used or waste tire to an appropriate facility for~~
12 ~~reuse, reprocessing, or converting, including use as an~~
13 ~~alternate energy fuel. If, within 30 days after notification to~~
14 ~~the Illinois Industrial Materials Exchange Service of the~~
15 ~~availability of waste tires, no specific request for the used~~
16 ~~or waste tires is received by the sanitary landfill, and the~~
17 ~~sanitary landfill determines it has no alternative use for~~
18 ~~those used or waste tires, the sanitary landfill may dispose of~~
19 ~~slit, chopped, or shredded used or waste tires in the sanitary~~
20 ~~landfill. In the event the physical condition of a used or~~
21 waste tire makes shredding, slitting, chopping, reuse,
22 reprocessing, or other alternative use of the used or waste
23 tire impractical or infeasible, then the sanitary landfill,
24 after authorization by the Agency, may accept the used or waste
25 tire for disposal.

26 ~~Sanitary landfills and facilities for reuse, reprocessing,~~

1 ~~or converting, including use as alternative fuel, shall (i)~~
2 ~~notify the Illinois Industrial Materials Exchange Service of~~
3 ~~the availability of and demand for used or waste tires and (ii)~~
4 ~~consult with the Department of Commerce and Economic~~
5 ~~Opportunity regarding the status of marketing of waste tires to~~
6 ~~facilities for reuse.~~

7 (c) Any person who sells new or used tires at retail or
8 operates a tire storage site or a tire disposal site which
9 contains more than 50 used or waste tires shall give notice of
10 such activity to the Agency. Any person engaging in such
11 activity for the first time after January 1, 1990, shall give
12 notice to the Agency within 30 days after the date of
13 commencement of the activity. The form of such notice shall be
14 specified by the Agency and shall be limited to information
15 regarding the following:

- 16 (1) the name and address of the owner and operator;
17 (2) the name, address and location of the operation;
18 (3) the type of operations involving used and waste
19 tires (storage, disposal, conversion or processing); and
20 (4) the number of used and waste tires present at the
21 location.

22 (d) Beginning January 1, 1992, no person shall cause or
23 allow the operation of:

- 24 (1) a tire storage site which contains more than 50
25 used tires, unless the owner or operator, by January 1,
26 1992 (or the January 1 following commencement of operation,

1 whichever is later) and January 1 of each year thereafter,
2 (i) registers the site with the Agency, except that the
3 registration requirement in this item (i) does not apply in
4 the case of a tire storage site required to be permitted
5 under subsection (d-5), (ii) certifies to the Agency that
6 the site complies with any applicable standards adopted by
7 the Board pursuant to Section 55.2, (iii) reports to the
8 Agency the number of tires accumulated, the status of
9 vector controls, and the actions taken to handle and
10 process the tires, and (iv) pays the fee required under
11 subsection (b) of Section 55.6; or

12 (2) a tire disposal site, unless the owner or operator
13 (i) has received approval from the Agency after filing a
14 tire removal agreement pursuant to Section 55.4, or (ii)
15 has entered into a written agreement to participate in a
16 consensual removal action under Section 55.3.

17 The Agency shall provide written forms for the annual
18 registration and certification required under this subsection
19 (d).

20 (d-4) On or before January 1, 2015, the owner or operator
21 of each tire storage site that contains used tires totaling
22 more than 10,000 passenger tire equivalents, or at which more
23 than 500 tons of used tires are processed in a calendar year,
24 shall submit documentation demonstrating its compliance with
25 Board rules adopted under this Title. This documentation must
26 be submitted on forms and in a format prescribed by the Agency.

1 (d-5) Beginning July 1, 2016, no person shall cause or
2 allow the operation of a tire storage site that contains used
3 tires totaling more than 10,000 passenger tire equivalents, or
4 at which more than 500 tons of used tires are processed in a
5 calendar year, without a permit granted by the Agency or in
6 violation of any conditions imposed by that permit, including
7 periodic reports and full access to adequate records and the
8 inspection of facilities, as may be necessary to ensure
9 compliance with this Act and with regulations and standards
10 adopted under this Act.

11 (d-6) No person shall cause or allow the operation of a
12 tire storage site in violation of the financial assurance rules
13 established by the Board under subsection (b) of Section 55.2
14 of this Act. In addition to the remedies otherwise provided
15 under this Act, the State's Attorney of the county in which the
16 violation occurred, or the Attorney General, may, at the
17 request of the Agency or on his or her own motion, institute a
18 civil action for an immediate injunction, prohibitory or
19 mandatory, to restrain any violation of this subsection (d-6)
20 or to require any other action as may be necessary to abate or
21 mitigate any immediate danger or threat to public health or the
22 environment at the site. Injunctions to restrain a violation of
23 this subsection (d-6) may include, but are not limited to, the
24 required removal of all tires for which financial assurance is
25 not maintained and a prohibition against the acceptance of
26 tires in excess of the amount for which financial assurance is

1 maintained.

2 (e) No person shall cause or allow the storage, disposal,
3 treatment or processing of any used or waste tire in violation
4 of any regulation or standard adopted by the Board.

5 (f) No person shall arrange for the transportation of used
6 or waste tires away from the site of generation with a person
7 known to openly dump such tires.

8 (g) No person shall engage in any operation as a used or
9 waste tire transporter except in compliance with Board
10 regulations.

11 (h) No person shall cause or allow the combustion of any
12 used or waste tire in an enclosed device unless a permit has
13 been issued by the Agency authorizing such combustion pursuant
14 to regulations adopted by the Board for the control of air
15 pollution and consistent with the provisions of Section 9.4 of
16 this Act.

17 (i) No person shall cause or allow the use of pesticides to
18 treat tires except as prescribed by Board regulations.

19 (j) No person shall fail to comply with the terms of a tire
20 removal agreement approved by the Agency pursuant to Section
21 55.4.

22 (k) No person shall:

23 (1) Cause or allow water to accumulate in used or waste
24 tires. The prohibition set forth in this paragraph (1) of
25 subsection (k) shall not apply to used or waste tires
26 located at a residential household, as long as not more

1 than 12 used or waste tires are located at the site.

2 (2) Fail to collect a fee required under Section 55.8
3 of this Title.

4 (3) Fail to file a return required under Section 55.10
5 of this Title.

6 (4) Transport used or waste tires in violation of the
7 registration and vehicle placarding requirements adopted
8 by the Board.

9 (Source: P.A. 98-656, eff. 6-19-14.)

10 (415 ILCS 5/55.6) (from Ch. 111 1/2, par. 1055.6)

11 Sec. 55.6. Used Tire Management Fund.

12 (a) There is hereby created in the State Treasury a special
13 fund to be known as the Used Tire Management Fund. There shall
14 be deposited into the Fund all monies received as (1) recovered
15 costs or proceeds from the sale of used tires under Section
16 55.3 of this Act, (2) repayment of loans from the Used Tire
17 Management Fund, or (3) penalties or punitive damages for
18 violations of this Title, except as provided by subdivision
19 (b) (4) or (b) (4-5) of Section 42.

20 (b) Beginning January 1, 1992, in addition to any other
21 fees required by law, the owner or operator of each site
22 required to be registered or permitted under subsection (d) or
23 (d-5) of Section 55 shall pay to the Agency an annual fee of
24 \$100. Fees collected under this subsection shall be deposited
25 into the Environmental Protection Permit and Inspection Fund.

1 (c) Pursuant to appropriation, monies up to an amount of \$2
2 million per fiscal year from the Used Tire Management Fund
3 shall be allocated as follows:

4 (1) 38% shall be available to the Agency for the
5 following purposes, provided that priority shall be given
6 to item (i):

7 (i) To undertake preventive, corrective or removal
8 action as authorized by and in accordance with Section
9 55.3, and to recover costs in accordance with Section
10 55.3.

11 (ii) For the performance of inspection and
12 enforcement activities for used and waste tire sites.

13 (iii) (Blank). ~~To assist with marketing of used~~
14 ~~tires by augmenting the operations of an industrial~~
15 ~~materials exchange service.~~

16 (iv) To provide financial assistance to units of
17 local government for the performance of inspecting,
18 investigating and enforcement activities pursuant to
19 subsection (r) of Section 4 at used and waste tire
20 sites.

21 (v) To provide financial assistance for used and
22 waste tire collection projects sponsored by local
23 government or not-for-profit corporations.

24 (vi) For the costs of fee collection and
25 administration relating to used and waste tires, and to
26 accomplish such other purposes as are authorized by

1 this Act and regulations thereunder.

2 (vii) To provide financial assistance to units of
3 local government and private industry for the purposes
4 of:

5 (A) assisting in the establishment of
6 facilities and programs to collect, process, and
7 utilize used and waste tires and tire-derived
8 materials;

9 (B) demonstrating the feasibility of
10 innovative technologies as a means of collecting,
11 storing, processing, and utilizing used and waste
12 tires and tire-derived materials; and

13 (C) applying demonstrated technologies as a
14 means of collecting, storing, processing, and
15 utilizing used and waste tires and tire-derived
16 materials.

17 (2) For fiscal years beginning prior to July 1, 2004,
18 23% shall be available to the Department of Commerce and
19 Economic Opportunity for the following purposes, provided
20 that priority shall be given to item (A):

21 (A) To provide grants or loans for the purposes of:

22 (i) assisting units of local government and
23 private industry in the establishment of
24 facilities and programs to collect, process and
25 utilize used and waste tires and tire derived
26 materials;

1 (ii) demonstrating the feasibility of
2 innovative technologies as a means of collecting,
3 storing, processing and utilizing used and waste
4 tires and tire derived materials; and

5 (iii) applying demonstrated technologies as a
6 means of collecting, storing, processing, and
7 utilizing used and waste tires and tire derived
8 materials.

9 (B) To develop educational material for use by
10 officials and the public to better understand and
11 respond to the problems posed by used tires and
12 associated insects.

13 (C) (Blank).

14 (D) To perform such research as the Director deems
15 appropriate to help meet the purposes of this Act.

16 (E) To pay the costs of administration of its
17 activities authorized under this Act.

18 (2.1) For the fiscal year beginning July 1, 2004 and
19 for all fiscal years thereafter, 23% shall be deposited
20 into the General Revenue Fund.

21 (3) 25% shall be available to the Illinois Department
22 of Public Health for the following purposes:

23 (A) To investigate threats or potential threats to
24 the public health related to mosquitoes and other
25 vectors of disease associated with the improper
26 storage, handling and disposal of tires, improper

1 waste disposal, or natural conditions.

2 (B) To conduct surveillance and monitoring
3 activities for mosquitoes and other arthropod vectors
4 of disease, and surveillance of animals which provide a
5 reservoir for disease-producing organisms.

6 (C) To conduct training activities to promote
7 vector control programs and integrated pest management
8 as defined in the Vector Control Act.

9 (D) To respond to inquiries, investigate
10 complaints, conduct evaluations and provide technical
11 consultation to help reduce or eliminate public health
12 hazards and nuisance conditions associated with
13 mosquitoes and other vectors.

14 (E) To provide financial assistance to units of
15 local government for training, investigation and
16 response to public nuisances associated with
17 mosquitoes and other vectors of disease.

18 (4) 2% shall be available to the Department of
19 Agriculture for its activities under the Illinois
20 Pesticide Act relating to used and waste tires.

21 (5) 2% shall be available to the Pollution Control
22 Board for administration of its activities relating to used
23 and waste tires.

24 (6) 10% shall be available to the Department of Natural
25 Resources for the Illinois Natural History Survey to
26 perform research to study the biology, distribution,

1 population ecology, and biosystematics of tire-breeding
2 arthropods, especially mosquitoes, and the diseases they
3 spread.

4 (d) By January 1, 1998, and biennially thereafter, each
5 State agency receiving an appropriation from the Used Tire
6 Management Fund shall report to the Governor and the General
7 Assembly on its activities relating to the Fund.

8 (e) Any monies appropriated from the Used Tire Management
9 Fund, but not obligated, shall revert to the Fund.

10 (f) In administering the provisions of subdivisions (1),
11 (2) and (3) of subsection (c) of this Section, the Agency, the
12 Department of Commerce and Economic Opportunity, and the
13 Illinois Department of Public Health shall ensure that
14 appropriate funding assistance is provided to any municipality
15 with a population over 1,000,000 or to any sanitary district
16 which serves a population over 1,000,000.

17 (g) Pursuant to appropriation, monies in excess of \$2
18 million per fiscal year from the Used Tire Management Fund
19 shall be used as follows:

20 (1) 55% shall be available to the Agency for the
21 following purposes, provided that priority shall be given
22 to subparagraph (A):

23 (A) To undertake preventive, corrective or renewed
24 action as authorized by and in accordance with Section
25 55.3 and to recover costs in accordance with Section
26 55.3.

1 (B) To provide financial assistance to units of
2 local government and private industry for the purposes
3 of:

4 (i) assisting in the establishment of
5 facilities and programs to collect, process, and
6 utilize used and waste tires and tire-derived
7 materials;

8 (ii) demonstrating the feasibility of
9 innovative technologies as a means of collecting,
10 storing, processing, and utilizing used and waste
11 tires and tire-derived materials; and

12 (iii) applying demonstrated technologies as a
13 means of collecting, storing, processing, and
14 utilizing used and waste tires and tire-derived
15 materials.

16 (2) For fiscal years beginning prior to July 1, 2004,
17 45% shall be available to the Department of Commerce and
18 Economic Opportunity to provide grants or loans for the
19 purposes of:

20 (i) assisting units of local government and
21 private industry in the establishment of facilities
22 and programs to collect, process and utilize waste
23 tires and tire derived material;

24 (ii) demonstrating the feasibility of innovative
25 technologies as a means of collecting, storing,
26 processing, and utilizing used and waste tires and tire

1 derived materials; and

2 (iii) applying demonstrated technologies as a
3 means of collecting, storing, processing, and
4 utilizing used and waste tires and tire derived
5 materials.

6 (3) For the fiscal year beginning July 1, 2004 and for
7 all fiscal years thereafter, 45% shall be deposited into
8 the General Revenue Fund.

9 (Source: P.A. 98-656, eff. 6-19-14.)

10 (415 ILCS 15/8 rep.)

11 (415 ILCS 15/8.5 rep.)

12 Section 10-195. The Solid Waste Planning and Recycling Act
13 is amended by repealing Sections 8 and 8.5.

14 Section 10-200. The Illinois Solid Waste Management Act is
15 amended by changing Section 6 as follows:

16 (415 ILCS 20/6) (from Ch. 111 1/2, par. 7056)

17 Sec. 6. The Department of Commerce and Economic Opportunity
18 shall be the lead agency for implementation of this Act and
19 shall have the following powers:

20 (a) To provide technical and educational assistance for
21 applications of technologies and practices which will minimize
22 the land disposal of non-hazardous solid waste; economic
23 feasibility of implementation of solid waste management

1 alternatives; analysis of markets for recyclable materials and
2 energy products; application of the Geographic Information
3 System to provide analysis of natural resource, land use, and
4 environmental impacts; evaluation of financing and ownership
5 options; and evaluation of plans prepared by units of local
6 government pursuant to Section 22.15 of the Environmental
7 Protection Act.

8 (b) (Blank). ~~To provide technical assistance in siting~~
9 ~~pollution control facilities, defined as any waste storage~~
10 ~~site, sanitary landfill, waste disposal site, waste transfer~~
11 ~~station or waste incinerator.~~

12 (c) To provide loans or recycling and composting grants to
13 businesses and not-for-profit and governmental organizations
14 for the purposes of increasing the quantity of materials
15 recycled or composted in Illinois; developing and implementing
16 innovative recycling methods and technologies; developing and
17 expanding markets for recyclable materials; and increasing the
18 self-sufficiency of the recycling industry in Illinois. The
19 Department shall work with and coordinate its activities with
20 existing for-profit and not-for-profit collection and
21 recycling systems to encourage orderly growth in the supply of
22 and markets for recycled materials and to assist existing
23 collection and recycling efforts.

24 The Department shall develop a public education program
25 concerning the importance of both composting and recycling in
26 order to preserve landfill space in Illinois.

1 (d) To establish guidelines and funding criteria for the
2 solicitation of projects under this Act, and to receive and
3 evaluate applications for loans or grants for solid waste
4 management projects based upon such guidelines and criteria.
5 Funds may be loaned with or without interest.

6 (e) To support and coordinate solid waste research in
7 Illinois, and to approve the annual solid waste research agenda
8 prepared by the University of Illinois.

9 (f) To provide loans or grants for research, development
10 and demonstration of innovative technologies and practices,
11 including but not limited to pilot programs for collection and
12 disposal of household wastes.

13 (g) To promulgate such rules and regulations as are
14 necessary to carry out the purposes of subsections (c), (d) and
15 (f) of this Section.

16 (h) To cooperate with the Environmental Protection Agency
17 for the purposes specified herein.

18 The Department is authorized to accept any and all grants,
19 repayments of interest and principal on loans, matching funds,
20 reimbursements, appropriations, income derived from
21 investments, or other things of value from the federal or state
22 governments or from any institution, person, partnership,
23 joint venture, corporation, public or private.

24 The Department is authorized to use moneys available for
25 that purpose, subject to appropriation, expressly for the
26 purpose of implementing a loan program according to procedures

1 established pursuant to this Act. Those moneys shall be used by
2 the Department for the purpose of financing additional projects
3 and for the Department's administrative expenses related
4 thereto.

5 (Source: P.A. 94-91, eff. 7-1-05.)

6 (415 ILCS 20/5 rep.)

7 (415 ILCS 20/7.1 rep.)

8 (415 ILCS 20/7.3 rep.)

9 (415 ILCS 20/8 rep.)

10 Section 10-205. The Illinois Solid Waste Management Act is
11 amended by repealing Sections 5, 7.1, 7.3, and 8.

12 (415 ILCS 56/Act rep.)

13 Section 10-210. The Green Infrastructure for Clean Water
14 Act is repealed.

15 Section 10-215. The Environmental Toxicology Act is
16 amended by changing Sections 3 and 5 as follows:

17 (415 ILCS 75/3) (from Ch. 111 1/2, par. 983)

18 Sec. 3. Definitions. As used in this Act, unless the
19 context otherwise requires;

20 (a) "Department" means the Illinois Department of Public
21 Health;

22 (b) "Director" means the Director of the Illinois

1 Department of Public Health;

2 (c) "Program" means the Environmental Toxicology program
3 as established by this Act;

4 (d) "Exposure" means contact with a hazardous substance;

5 (e) "Hazardous Substance" means chemical compounds,
6 elements, or combinations of chemicals which, because of
7 quantity concentration, physical characteristics or
8 toxicological characteristics may pose a substantial present
9 or potential hazard to human health and includes, but is not
10 limited to, any substance defined as a hazardous substance in
11 Section 3.215 of the "Environmental Protection Act", approved
12 June 29, 1970, as amended;

13 (f) "Initial Assessment" means a review and evaluation of
14 site history and hazardous substances involved, potential for
15 population exposure, the nature of any health related
16 complaints and any known patterns in disease occurrence;

17 (g) "Comprehensive Health Study" means a detailed analysis
18 which may include: a review of available environmental,
19 morbidity and mortality data; environmental and biological
20 sampling; detailed review of scientific literature; exposure
21 analysis; population surveys; or any other scientific or
22 epidemiologic methods deemed necessary to adequately evaluate
23 the health status of the population at risk and any potential
24 relationship to environmental factors;

25 (h) "Superfund Site" means any hazardous waste site
26 designated for cleanup on the National Priorities List as

1 mandated by the Comprehensive Environmental Response,
2 Compensation, and Liability Act of 1980 (P.L. 96-510), as
3 amended;

4 (i) (Blank). ~~"State Remedial Action Priority List" means a~~
5 ~~list compiled by the Illinois Environmental Protection Agency~~
6 ~~which identifies sites that appear to present significant risk~~
7 ~~to the public health, welfare or environment.~~

8 (Source: P.A. 92-574, eff. 6-26-02.)

9 (415 ILCS 75/5) (from Ch. 111 1/2, par. 985)

10 Sec. 5. (a) Upon request by the Illinois Environmental
11 Protection Agency, the Department shall conduct an initial
12 assessment for any location designated as a Superfund Site ~~or~~
13 ~~on the State Remedial Action Priority List~~. Such assessment
14 shall be initiated within 60 days of the request.

15 (b) (Blank). ~~For sites designated as Superfund Sites or~~
16 ~~sites on the State Remedial Action Priority List on the~~
17 ~~effective date of this Act, the Department and the Illinois~~
18 ~~Environmental Protection Agency shall jointly determine which~~
19 ~~sites warrant initial assessment. If warranted, initial~~
20 ~~assessment shall be initiated by January 1, 1986.~~

21 (c) If, as a result of the initial assessment, the
22 Department determines that a public health problem related to
23 exposure to hazardous substances may exist in a community
24 located near a designated site, the Department shall conduct a
25 comprehensive health study to assess the full relationship, if

1 any, between such threat or potential threat and possible
2 exposure to hazardous substances at the designated site.

3 (Source: P.A. 84-987.)

4 (415 ILCS 80/3 rep.)

5 (415 ILCS 80/4 rep.)

6 Section 10-220. The Degradable Plastic Act is amended by
7 repealing Sections 3 and 4.

8 (415 ILCS 120/25 rep.)

9 Section 10-230. The Alternate Fuels Act is amended by
10 repealing Section 25.

11 Section 10-235. The Interstate Ozone Transport Oversight
12 Act is amended by changing Section 20 as follows:

13 (415 ILCS 130/20)

14 Sec. 20. Legislative referral and public hearings.

15 (a) Not later than 10 days after the development of any
16 proposed memorandum of understanding by the Ozone Transport
17 Assessment Group potentially requiring the State of Illinois to
18 undertake emission reductions in addition to those specified by
19 the Clean Air Act Amendments of 1990, or subsequent to the
20 issuance of a request made by the United States Environmental
21 Protection Agency on or after June 1, 1997 for submission of a
22 State Implementation Plan for Illinois relating to ozone

1 attainment and before submission of the Plan, the Director
2 shall submit the proposed memorandum of understanding or State
3 Implementation Plan to the House Committee and the Senate
4 Committee for their consideration. At that time, the Director
5 shall also submit information detailing any alternate
6 strategies.

7 (b) (Blank). ~~To assist the legislative review required by~~
8 ~~this Act, the Department of Commerce and Economic Opportunity~~
9 ~~shall conduct a joint study of the impacts on the State's~~
10 ~~economy which may result from implementation of the emission~~
11 ~~reduction strategies contained within any proposed memorandum~~
12 ~~of understanding or State Implementation Plan relating to ozone~~
13 ~~and from implementation of any alternate strategies. The study~~
14 ~~shall include, but not be limited to, the impacts on economic~~
15 ~~development, employment, utility costs and rates, personal~~
16 ~~income, and industrial competitiveness which may result from~~
17 ~~implementation of the emission reduction strategies contained~~
18 ~~within any proposed memorandum of agreement or State~~
19 ~~Implementation Plan relating to ozone and from implementation~~
20 ~~of any alternate strategies. The study shall be submitted to~~
21 ~~the House Committee and Senate Committee not less than 10 days~~
22 ~~prior to any scheduled hearing conducted pursuant to subsection~~
23 ~~(c) of this Section.~~

24 (c) Upon receipt of the information required by subsections
25 (a) and (b) of this Section, the House Committee and Senate
26 Committee shall each convene one or more public hearings to

1 receive comments from agencies of government and other
2 interested parties on the memorandum of understanding's or
3 State Implementation Plan's prospective economic and
4 environmental impacts, including its impacts on energy use,
5 economic development, utility costs and rates, and
6 competitiveness. Additionally, comments shall be received on
7 the prospective economic and environmental impacts, including
8 impacts on energy use, economic development, utility costs and
9 rates, and competitiveness, which may result from
10 implementation of any alternate strategies.

11 (Source: P.A. 97-916, eff. 8-9-12.)

12 (505 ILCS 84/Act rep.)

13 Section 10-240. The Illinois Food, Farms, and Jobs Act is
14 repealed.

15 ARTICLE 99. EXEMPTIONS; SEVERABILITY; EFFECTIVE DATE

16 Section 99-90. The State Mandates Act is amended by adding
17 Section 8.41 as follows:

18 (30 ILCS 805/8.41 new)

19 Sec. 8.41. Exempt mandate. Notwithstanding Sections 6 and 8
20 of this Act, no reimbursement by the State is required for the
21 implementation of any mandate created by this amendatory Act of
22 the 100th General Assembly.

1 Section 99-97. Severability. The provisions of this Act are
2 severable under Section 1.31 of the Statute on Statutes.

3 Section 99-99. Effective date. This Act takes effect upon
4 becoming law.