



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB0036

Introduced 1/10/2019, by Sen. Melinda Bush

#### SYNOPSIS AS INTRODUCED:

420 ILCS 10/10 new

Amends the Illinois Nuclear Facility Safety Act. Provides that any municipality may establish and collect a nuclear storage impact fee from the entity that operated a nuclear facility within the boundaries of the municipality. Provides that the nuclear storage impact fee shall only be imposed on nuclear facilities that ceased generating electricity on or before the effective date of this amendatory Act. Provides that the fee shall be charged to the entity that operated a nuclear facility within the boundaries of the municipality immediately before the nuclear facility ceased to generate electricity. Provides that the nuclear storage impact fee can only be applied prospectively. Provides that in any calendar year, the nuclear storage impact fee shall not exceed 25% of the average annual amount of property taxes paid to the municipality by the entity that operated the nuclear facility during the last 5 years that the nuclear facility was operational. Provides that the municipality shall conduct a public hearing before imposing the nuclear storage impact fees. Provides that the revenue collected from the fees shall be used to offset property taxes for owners of property within the boundaries of the municipality. Provides that no sale, assignment, lease, or decommissioning agreement that was executed after a nuclear facility ceased generating electricity and before the effective date of this amendatory Act shall assign or transfer the obligation to pay any nuclear storage impact fee imposed.

LRB101 00193 LNS 45194 b

1 AN ACT concerning safety.

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

4 Section 5. The Illinois Nuclear Facility Safety Act is  
5 amended by adding Section 10 as follows:

6 (420 ILCS 10/10 new)

7 Sec. 10. Municipal nuclear storage impact fees.

8 (a) Notwithstanding any other provision of law to the  
9 contrary, any municipality may establish and collect a nuclear  
10 storage impact fee from the entity that operated a nuclear  
11 facility within the boundaries of the municipality. The nuclear  
12 storage impact fee shall only be imposed on nuclear facilities  
13 that ceased generating electricity on or before the effective  
14 date of this amendatory Act of the 101st General Assembly.

15 (b) The fee established under this Section shall be charged  
16 to the entity that operated a nuclear facility within the  
17 boundaries of the municipality immediately before the nuclear  
18 facility ceased to generate electricity. The nuclear storage  
19 impact fee can only be applied prospectively on or after the  
20 effective date of this amendatory Act of the 101st General  
21 Assembly and cannot be applied retroactively to the date that  
22 the nuclear facility ceased operations.

23 (c) In any calendar year, the nuclear storage impact fee

1 shall not exceed 25% of the average annual amount of property  
2 taxes paid to the municipality by the entity that operated the  
3 nuclear facility during the last 5 years that the nuclear  
4 facility was operational.

5 (d) The municipality shall conduct a public hearing before  
6 imposing the nuclear storage impact fees permitted under this  
7 Section. The hearing shall be held within the boundaries of the  
8 municipality. Notice of the time, place, and purpose of the  
9 hearing shall be given at least 10 days before the date of the  
10 hearing.

11 (e) The revenue collected under this Section shall be used  
12 to offset property taxes for owners of property within the  
13 boundaries of the municipality.

14 (f) No sale, assignment, lease, or decommissioning  
15 agreement that was executed after a nuclear facility ceased  
16 generating electricity and before the effective date of this  
17 amendatory Act of the 101st General Assembly shall assign or  
18 transfer the obligation to pay any nuclear storage impact fee  
19 imposed pursuant to this Section.