



Sen. Sue Rezin

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10200SB2576sam001

LRB102 17416 CPF 24978 a

1 AMENDMENT TO SENATE BILL 2576

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2576 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Environmental Protection Act is amended by  
5 changing Section 19.3 as follows:

6 (415 ILCS 5/19.3) (from Ch. 111 1/2, par. 1019.3)

7 Sec. 19.3. Water Revolving Fund.

8 (a) There is hereby created within the State Treasury a  
9 Water Revolving Fund, consisting of 3 interest-bearing special  
10 programs to be known as the Water Pollution Control Loan  
11 Program, the Public Water Supply Loan Program, and the Loan  
12 Support Program, which shall be used and administered by the  
13 Agency.

14 (b) The Water Pollution Control Loan Program shall be used  
15 and administered by the Agency to provide assistance for the  
16 following purposes:

1           (1) to accept and retain funds from grant awards,  
2           appropriations, transfers, and payments of interest and  
3           principal;

4           (2) to make direct loans at or below market interest  
5           rates and to provide additional subsidization, including,  
6           but not limited to, forgiveness of principal, negative  
7           interest rates, and grants, to any eligible local  
8           government unit to finance the construction of treatments  
9           works, including storm water treatment systems that are  
10          treatment works, and projects that fulfill federal State  
11          Revolving Fund grant requirements for a green project  
12          reserve;

13          (2.5) with respect to funds provided under the  
14          American Recovery and Reinvestment Act of 2009:

15                (A) to make direct loans at or below market  
16                interest rates to any eligible local government unit  
17                and to provide additional subsidization to any  
18                eligible local government unit, including, but not  
19                limited to, forgiveness of principal, negative  
20                interest rates, and grants;

21                (B) to make direct loans at or below market  
22                interest rates to any eligible local government unit  
23                to buy or refinance debt obligations for treatment  
24                works incurred on or after October 1, 2008; and

25                (C) to provide additional subsidization,  
26                including, but not limited to, forgiveness of

1 principal, negative interest rates, and grants for  
2 treatment works incurred on or after October 1, 2008;

3 (3) to make direct loans at or below market interest  
4 rates and to provide additional subsidization, including,  
5 but not limited to, forgiveness of principal, negative  
6 interest rates, and grants, to any eligible local  
7 government unit to buy or refinance debt obligations for  
8 costs incurred after March 7, 1985, for the construction  
9 of treatment works, including storm water treatment  
10 systems that are treatment works, and projects that  
11 fulfill federal State Revolving Fund grant requirements  
12 for a green project reserve;

13 (3.5) to make loans, including, but not limited to,  
14 loans through a linked deposit program, at or below market  
15 interest rates for the implementation of a management  
16 program established under Section 319 of the Federal Water  
17 Pollution Control Act, as amended;

18 (4) to guarantee or purchase insurance for local  
19 obligations where such action would improve credit market  
20 access or reduce interest rates;

21 (5) as a source of revenue or security for the payment  
22 of principal and interest on revenue or general obligation  
23 bonds issued by the State or any political subdivision or  
24 instrumentality thereof, if the proceeds of such bonds  
25 will be deposited in the Fund;

26 (6) to finance the reasonable costs incurred by the

1 Agency in the administration of the Fund;

2 (7) to transfer funds to the Public Water Supply Loan  
3 Program; and

4 (8) notwithstanding any other provision of this  
5 subsection (b), to provide, in accordance with rules  
6 adopted under this Title, any other financial assistance  
7 that may be provided under Section 603 of the Federal  
8 Water Pollution Control Act for any other projects or  
9 activities eligible for assistance under that Section or  
10 federal rules adopted to implement that Section.

11 (b-5) The wastewater treatment facility located in the  
12 Village of Lisbon in Kendall County, specifically located at  
13 200 East Joliet Street, is allowed to apply for the Water  
14 Pollution Control Loan Program for the purposes of refinancing  
15 existing debt.

16 (c) The Loan Support Program shall be used and  
17 administered by the Agency for the following purposes:

18 (1) to accept and retain funds from grant awards and  
19 appropriations;

20 (2) to finance the reasonable costs incurred by the  
21 Agency in the administration of the Fund, including  
22 activities under Title III of this Act, including the  
23 administration of the State construction grant program;

24 (3) to transfer funds to the Water Pollution Control  
25 Loan Program and the Public Water Supply Loan Program;

26 (4) to accept and retain a portion of the loan

1           repayments;

2           (5) to finance the development of the low interest  
3           loan programs for water pollution control and public water  
4           supply projects;

5           (6) to finance the reasonable costs incurred by the  
6           Agency to provide technical assistance for public water  
7           supplies; and

8           (7) to finance the reasonable costs incurred by the  
9           Agency for public water system supervision programs, to  
10          administer or provide for technical assistance through  
11          source water protection programs, to develop and implement  
12          a capacity development strategy, to delineate and assess  
13          source water protection areas, and for an operator  
14          certification program in accordance with Section 1452 of  
15          the federal Safe Drinking Water Act.

16          (d) The Public Water Supply Loan Program shall be used and  
17          administered by the Agency to provide assistance to local  
18          government units and privately owned community water supplies  
19          for public water supplies for the following public purposes:

20               (1) to accept and retain funds from grant awards,  
21               appropriations, transfers, and payments of interest and  
22               principal;

23               (2) to make direct loans at or below market interest  
24               rates and to provide additional subsidization, including,  
25               but not limited to, forgiveness of principal, negative  
26               interest rates, and grants, to any eligible local

1 government unit or to any eligible privately owned  
2 community water supply to finance the construction of  
3 water supplies and projects that fulfill federal State  
4 Revolving Fund grant requirements for a green project  
5 reserve;

6 (2.5) with respect to funds provided under the  
7 American Recovery and Reinvestment Act of 2009:

8 (A) to make direct loans at or below market  
9 interest rates to any eligible local government unit  
10 or to any eligible privately owned community water  
11 supply, and to provide additional subsidization to any  
12 eligible local government unit or to any eligible  
13 privately owned community water supply, including, but  
14 not limited to, forgiveness of principal, negative  
15 interest rates, and grants;

16 (B) to buy or refinance the debt obligation of a  
17 local government unit for costs incurred on or after  
18 October 1, 2008; and

19 (C) to provide additional subsidization,  
20 including, but not limited to, forgiveness of  
21 principal, negative interest rates, and grants for a  
22 local government unit for costs incurred on or after  
23 October 1, 2008;

24 (3) to make direct loans at or below market interest  
25 rates and to provide additional subsidization, including,  
26 but not limited to, forgiveness of principal, negative

1 interest rates, and grants, to any eligible local  
2 government unit or to any eligible privately owned  
3 community water supply to buy or refinance debt  
4 obligations for costs incurred on or after July 17, 1997,  
5 for the construction of water supplies and projects that  
6 fulfill federal State Revolving Fund requirements for a  
7 green project reserve;

8 (4) to guarantee local obligations where such action  
9 would improve credit market access or reduce interest  
10 rates;

11 (5) as a source of revenue or security for the payment  
12 of principal and interest on revenue or general obligation  
13 bonds issued by the State or any political subdivision or  
14 instrumentality thereof, if the proceeds of such bonds  
15 will be deposited into the Fund;

16 (6) to transfer funds to the Water Pollution Control  
17 Loan Program; and

18 (7) notwithstanding any other provision of this  
19 subsection (d), to provide to local government units and  
20 privately owned community water supplies any other  
21 financial assistance that may be provided under Section  
22 1452 of the federal Safe Drinking Water Act for any  
23 expenditures eligible for assistance under that Section or  
24 federal rules adopted to implement that Section.

25 (e) The Agency is designated as the administering agency  
26 of the Fund. The Agency shall submit to the Regional

1 Administrator of the United States Environmental Protection  
2 Agency an intended use plan which outlines the proposed use of  
3 funds available to the State. The Agency shall take all  
4 actions necessary to secure to the State the benefits of the  
5 federal Water Pollution Control Act and the federal Safe  
6 Drinking Water Act, as now or hereafter amended.

7 (f) The Agency shall have the power to enter into  
8 intergovernmental agreements with the federal government or  
9 the State, or any instrumentality thereof, for purposes of  
10 capitalizing the Water Revolving Fund. Moneys on deposit in  
11 the Water Revolving Fund may be used for the creation of  
12 reserve funds or pledged funds that secure the obligations of  
13 repayment of loans made pursuant to this Section. For the  
14 purpose of obtaining capital for deposit into the Water  
15 Revolving Fund, the Agency may also enter into agreements with  
16 financial institutions and other persons for the purpose of  
17 selling loans and developing a secondary market for such  
18 loans. The Agency shall have the power to create and establish  
19 such reserve funds and accounts as may be necessary or  
20 desirable to accomplish its purposes under this subsection and  
21 to allocate its available moneys into such funds and accounts.  
22 Investment earnings on moneys held in the Water Revolving  
23 Fund, including any reserve fund or pledged fund, shall be  
24 deposited into the Water Revolving Fund.

25 (g) Beginning on the effective date of this amendatory Act  
26 of the 101st General Assembly, and running for a period of 5



1 years after that date, the Agency shall prioritize within its  
2 annual intended use plan the usage of a portion of the Agency's  
3 capitalization grant for federally authorized set-aside  
4 activities. The prioritization is for the purpose of  
5 supporting disadvantaged communities and utilities throughout  
6 Illinois in building their capacity for sustainable and  
7 equitable water management. This may include, but is not  
8 limited to, assistance for water rate studies, preliminary  
9 engineering or other facility planning, training activities,  
10 asset management plans, assistance with identification and  
11 replacement of lead service lines, and studies of efficiency  
12 measures through utility regionalization or other  
13 collaborative intergovernmental approaches.

14 (Source: P.A. 101-143, eff. 1-1-20.)

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law."