



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2569

Introduced 2/15/2023, by Rep. Suzanne M. Ness

SYNOPSIS AS INTRODUCED:

415 ILCS 20/3

from Ch. 111 1/2, par. 7053

Amends the Illinois Solid Waste Management Act. Provides that all State agencies and local governments shall consider whether compost products can be utilized in the land maintenance activity project when soliciting and reviewing bids for land maintenance activity projects. Provides that, if compost products can be used in the project, the State agency or local government must use compost products unless the compost products: (1) are not available within a reasonable period of time; (2) do not comply with existing purchasing standards; or (3) do not comply with federal or State health and safety standards. Provides that State agencies and local governments are encouraged to give priority to purchasing compost products from companies that produce compost products locally, are certified by a nationally recognized organization, and produce compost products that are derived from municipal solid waste compost programs.

LRB103 29460 CPF 55852 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 Solid Waste Management Act is
5 amended by changing Section 3 as follows:

6 (415 ILCS 20/3) (from Ch. 111 1/2, par. 7053)

7 Sec. 3. State agency materials recycling program.

8 (a) All State agencies and local governments shall
9 consider whether compost products can be used in the land
10 maintenance activity project when soliciting and reviewing
11 bids for land maintenance activity projects. If compost
12 products can be used in the project, the State agency or local
13 government must use compost products unless the compost
14 products: responsible for the maintenance of public lands in
15 the State shall, to the maximum extent feasible, use compost
16 materials in all land maintenance activities which are to be
17 paid with public funds.

18 (1) are not available within a reasonable period of
19 time;

20 (2) do not comply with existing purchasing standards;

21 or

22 (3) do not comply with federal or State health and
23 safety standards.

1 State agencies and local governments are encouraged to
2 give priority to purchasing compost products from companies
3 that produce compost products locally, are certified by a
4 nationally recognized organization, and produce compost
5 products that are derived from municipal solid waste compost
6 programs.

7 (a-5) All State agencies responsible for the maintenance
8 of public lands in the State shall review its procurement
9 specifications and policies to determine (1) if incorporating
10 compost materials will help reduce stormwater run-off and
11 increase infiltration of moisture in land maintenance
12 activities and (2) the current recycled content usage and
13 potential for additional recycled content usage by the Agency
14 in land maintenance activities and report to the General
15 Assembly by December 15, 2015.

16 (b) The Department of Central Management Services, in
17 coordination with the Agency, shall implement waste reduction
18 programs, including source separation and collection, for
19 office wastepaper, corrugated containers, newsprint and mixed
20 paper, in all State buildings as appropriate and feasible.
21 Such waste reduction programs shall be designed to achieve
22 waste reductions of at least 25% of all such waste by December
23 31, 1995, and at least 50% of all such waste by December 31,
24 2000. Any source separation and collection program shall
25 include, at a minimum, procedures for collecting and storing
26 recyclable materials, bins or containers for storing

1 materials, and contractual or other arrangements with buyers
2 of recyclable materials. If market conditions so warrant, the
3 Department of Central Management Services, in coordination
4 with the Agency, may modify programs developed pursuant to
5 this Section.

6 The Department of Commerce and Community Affairs (now
7 Department of Commerce and Economic Opportunity) shall conduct
8 waste categorization studies of all State facilities for
9 calendar years 1991, 1995 and 2000. Such studies shall be
10 designed to assist the Department of Central Management
11 Services to achieve the waste reduction goals established in
12 this subsection.

13 (c) Each State agency shall, upon consultation with the
14 Agency, periodically review its procurement procedures and
15 specifications related to the purchase of products or
16 supplies. Such procedures and specifications shall be modified
17 as necessary to require the procuring agency to seek out
18 products and supplies that contain recycled materials, and to
19 ensure that purchased products or supplies are reusable,
20 durable or made from recycled materials whenever economically
21 and practically feasible. In choosing among products or
22 supplies that contain recycled material, consideration shall
23 be given to products and supplies with the highest recycled
24 material content that is consistent with the effective and
25 efficient use of the product or supply.

26 (d) Wherever economically and practically feasible, the

1 Department of Central Management Services shall procure
2 recycled paper and paper products as follows:

3 (1) Beginning July 1, 1989, at least 10% of the total
4 dollar value of paper and paper products purchased by the
5 Department of Central Management Services shall be
6 recycled paper and paper products.

7 (2) Beginning July 1, 1992, at least 25% of the total
8 dollar value of paper and paper products purchased by the
9 Department of Central Management Services shall be
10 recycled paper and paper products.

11 (3) Beginning July 1, 1996, at least 40% of the total
12 dollar value of paper and paper products purchased by the
13 Department of Central Management Services shall be
14 recycled paper and paper products.

15 (4) Beginning July 1, 2000, at least 50% of the total
16 dollar value of paper and paper products purchased by the
17 Department of Central Management Services shall be
18 recycled paper and paper products.

19 (e) Paper and paper products purchased from private
20 vendors pursuant to printing contracts are not considered
21 paper products for the purposes of subsection (d). However,
22 the Department of Central Management Services shall report to
23 the General Assembly on an annual basis the total dollar value
24 of printing contracts awarded to private sector vendors that
25 included the use of recycled paper.

26 (f) (1) Wherever economically and practically feasible,

1 the recycled paper and paper products referred to in
2 subsection (d) shall contain postconsumer or recovered
3 paper materials as specified by paper category in this
4 subsection:

5 (i) Recycled high grade printing and writing paper
6 shall contain at least 50% recovered paper material.
7 Such recovered paper material, until July 1, 1994,
8 shall consist of at least 20% deinked stock or
9 postconsumer material; and beginning July 1, 1994,
10 shall consist of at least 25% deinked stock or
11 postconsumer material; and beginning July 1, 1996,
12 shall consist of at least 30% deinked stock or
13 postconsumer material; and beginning July 1, 1998,
14 shall consist of at least 40% deinked stock or
15 postconsumer material; and beginning July 1, 2000,
16 shall consist of at least 50% deinked stock or
17 postconsumer material.

18 (ii) Recycled tissue products, until July 1, 1994,
19 shall contain at least 25% postconsumer material; and
20 beginning July 1, 1994, shall contain at least 30%
21 postconsumer material; and beginning July 1, 1996,
22 shall contain at least 35% postconsumer material; and
23 beginning July 1, 1998, shall contain at least 40%
24 postconsumer material; and beginning July 1, 2000,
25 shall contain at least 45% postconsumer material.

26 (iii) Recycled newsprint, until July 1, 1994,

1 shall contain at least 40% postconsumer material; and
2 beginning July 1, 1994, shall contain at least 50%
3 postconsumer material; and beginning July 1, 1996,
4 shall contain at least 60% postconsumer material; and
5 beginning July 1, 1998, shall contain at least 70%
6 postconsumer material; and beginning July 1, 2000,
7 shall contain at least 80% postconsumer material.

8 (iv) Recycled unbleached packaging, until July 1,
9 1994, shall contain at least 35% postconsumer
10 material; and beginning July 1, 1994, shall contain at
11 least 40% postconsumer material; and beginning July 1,
12 1996, shall contain at least 45% postconsumer
13 material; and beginning July 1, 1998, shall contain at
14 least 50% postconsumer material; and beginning July 1,
15 2000, shall contain at least 55% postconsumer
16 material.

17 (v) Recycled paperboard, until July 1, 1994, shall
18 contain at least 80% postconsumer material; and
19 beginning July 1, 1994, shall contain at least 85%
20 postconsumer material; and beginning July 1, 1996,
21 shall contain at least 90% postconsumer material; and
22 beginning July 1, 1998, shall contain at least 95%
23 postconsumer material.

24 (2) For the purposes of this Section, "postconsumer
25 material" includes:

26 (i) paper, paperboard, and fibrous wastes from

1 retail stores, office buildings, homes, and so forth,
2 after the waste has passed through its end usage as a
3 consumer item, including used corrugated boxes, old
4 newspapers, mixed waste paper, tabulating cards, and
5 used cordage; and

6 (ii) all paper, paperboard, and fibrous wastes
7 that are diverted or separated from the municipal
8 solid waste stream.

9 (3) For the purposes of this Section, "recovered paper
10 material" includes:

11 (i) postconsumer material;

12 (ii) dry paper and paperboard waste generated
13 after completion of the papermaking process (that is,
14 those manufacturing operations up to and including the
15 cutting and trimming of the paper machine reel into
16 smaller rolls or rough sheets), including envelope
17 cuttings, bindery trimmings, and other paper and
18 paperboard waste resulting from printing, cutting,
19 forming, and other converting operations, or from bag,
20 box and carton manufacturing, and butt rolls, mill
21 wrappers, and rejected unused stock; and

22 (iii) finished paper and paperboard from obsolete
23 inventories of paper and paperboard manufacturers,
24 merchants, wholesalers, dealers, printers, converters,
25 or others.

26 (g) The Department of Central Management Services may

1 adopt regulations to carry out the provisions and purposes of
2 this Section.

3 (h) Every State agency shall, in its procurement
4 documents, specify that, whenever economically and practically
5 feasible, a product to be procured must consist, wholly or in
6 part, of recycled materials, or be recyclable or reusable in
7 whole or in part. When applicable, if state guidelines are not
8 already prescribed, State agencies shall follow USEPA
9 guidelines for federal procurement.

10 (i) All State agencies shall cooperate with the Department
11 of Central Management Services in carrying out this Section.
12 The Department of Central Management Services may enter into
13 cooperative purchasing agreements with other governmental
14 units in order to obtain volume discounts, or for other
15 reasons in accordance with the Governmental Joint Purchasing
16 Act, or in accordance with the Intergovernmental Cooperation
17 Act if governmental units of other states or the federal
18 government are involved.

19 (j) The Department of Central Management Services shall
20 submit an annual report to the General Assembly concerning its
21 implementation of the State's collection and recycled paper
22 procurement programs. This report shall include a description
23 of the actions that the Department of Central Management
24 Services has taken in the previous fiscal year to implement
25 this Section. This report shall be submitted on or before
26 November 1 of each year.

1 (k) The Department of Central Management Services, in
2 cooperation with all other appropriate departments and
3 agencies of the State, shall institute whenever economically
4 and practically feasible the use of re-refined motor oil in
5 all State-owned motor vehicles and the use of remanufactured
6 and retread tires whenever such use is practical, beginning no
7 later than July 1, 1992.

8 (l) (Blank).

9 (m) The Department of Central Management Services, in
10 coordination with the Department of Commerce and Community
11 Affairs (now Department of Commerce and Economic Opportunity),
12 has implemented an aluminum can recycling program in all State
13 buildings within 270 days of the effective date of this
14 amendatory Act of 1997. The program provides for (1) the
15 collection and storage of used aluminum cans in bins or other
16 appropriate containers made reasonably available to occupants
17 and visitors of State buildings and (2) the sale of used
18 aluminum cans to buyers of recyclable materials.

19 Proceeds from the sale of used aluminum cans shall be
20 deposited into I-CYCLE accounts maintained in the Facilities
21 Management Revolving Fund and, subject to appropriation, shall
22 be used by the Department of Central Management Services and
23 any other State agency to offset the costs of implementing the
24 aluminum can recycling program under this Section.

25 All State agencies having an aluminum can recycling
26 program in place shall continue with their current plan. If a

1 State agency has an existing recycling program in place,
2 proceeds from the aluminum can recycling program may be
3 retained and distributed pursuant to that program, otherwise
4 all revenue resulting from these programs shall be forwarded
5 to Central Management Services, I-CYCLE for placement into the
6 appropriate account within the Facilities Management Revolving
7 Fund, minus any operating costs associated with the program.
8 (Source: P.A. 101-636, eff. 6-10-20; 102-444, eff. 8-20-21.)