



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3206

Introduced 2/6/2024, by Sen. Sue Rezin

SYNOPSIS AS INTRODUCED:

415 ILCS 151/1-83.5 new

430 ILCS 50/2.09 new

430 ILCS 50/3

from Ch. 127, par. 1253

430 ILCS 50/5.11

430 ILCS 50/6

from Ch. 127, par. 1256

Amends the Consumer Electronics Recycling Act. Provides that, notwithstanding any provision of law to the contrary, a lithium-ion battery may not be disposed of in a mixed recycling waste bin. Requires the Environmental Protection Agency to encourage local authorities to use separate curbside recycling collection bins for the disposal of lithium-ion batteries. Requires the Illinois Environmental Protection Agency to adopt rules requiring each manufacturer of an electric vehicle that is sold in the State and contains a lithium-ion battery and each manufacturer of lithium-ion batteries sold in the State to submit a battery recycling plan to the Agency by June 1, 2025. Prohibits the disposal of lithium-ion batteries in sanitary landfills, beginning July 1, 2025. Amends the Hazardous Materials Emergency Act. Provides that "hazardous material" includes lithium-ion batteries for purposes of specified provisions of the Act. Effective immediately.

LRB103 38025 BDA 68157 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 Consumer Electronics Recycling Act is
5 amended by adding Section 1-83.5 as follows:

6 (415 ILCS 151/1-83.5 new)

7 Sec. 1-83.5. Lithium batteries; disposal; local
8 authorities.

9 (a) By March 1, 2025, the Agency shall adopt rules
10 requiring each manufacturer of an electric vehicle that is
11 sold in the State and that contains a lithium-ion battery and
12 each manufacturer of lithium-ion batteries sold in the State
13 to submit to the Agency by June 1, 2025, a plan for recycling
14 or repurposing the lithium-ion batteries it distributes in the
15 State.

16 (b) Notwithstanding any provision of law to the contrary,
17 beginning July 1, 2025, a lithium-ion battery may not be
18 disposed of in a sanitary landfill or mixed recycling waste
19 bin in the State.

20 (c) The Agency shall encourage local authorities to use
21 separate curbside recycling collection bins for the disposal
22 of lithium-ion batteries.

23 (d) In this Section, "lithium-ion battery" has the same

1 meaning given in Section 2.09 of the Hazardous Materials
2 Emergency Act.

3 Section 10. The Hazardous Materials Emergency Act is
4 amended by adding Section 2.09 and by changing Sections 3,
5 5.11, and 6 as follows:

6 (430 ILCS 50/2.09 new)

7 Sec. 2.09. "Lithium-ion battery" means a type of
8 rechargeable battery that contains lithium ions as the primary
9 component of its electrolyte and that is most commonly found
10 in cell phones, power tools, digital cameras, laptops,
11 children's toys, electronic cigarettes, small and large
12 appliances, tablets, and e-readers.

13 (430 ILCS 50/3) (from Ch. 127, par. 1253)

14 Sec. 3. It is the purpose of this Act to require the
15 Illinois Department of Transportation to adopt by regulation
16 the federal hazardous materials placarding regulations
17 promulgated under the Hazardous Materials Transportation Act
18 (PL 93-633) for interstate and intrastate transportation of
19 hazardous materials as they are applicable in the State of
20 Illinois, and to recommend that units of local government
21 adopt regulations for hazard signage systems applicable to the
22 use, storage, and manufacture of hazardous materials,
23 including, but not limited to, lithium-ion batteries, with the

1 following exceptions:

2 (a) No hazard signage system or State placarding
3 requirements shall apply to the use, storage, or
4 transportation of a hazardous material that is located on a
5 farm and that is used solely for agricultural purposes. It is
6 not the purpose of this Section to exempt the owner of an
7 agricultural hazardous material from reporting an accident
8 involving the material as required in Sections 7 and 7.01 of
9 this Act, nor is it the purpose of this Section to exempt from
10 the placarding requirements the storage, transportation or
11 manufacture of a hazardous material that is an agricultural
12 material when the material is in the possession of the
13 manufacturer, distributor, dealer, retailer or any other
14 person who handles the material in larger quantities than
15 those designed for consumer use or for any purpose other than
16 its intended agricultural usage.

17 (b) (Blank).

18 (c) No placarding requirements or hazard signage
19 requirements adopted pursuant to this Act shall apply to
20 pipelines or meters involved in the transmission of natural or
21 flammable gas by a public utility as defined in the Public
22 Utilities Act.

23 (d) This Act does not authorize the Department to require
24 any placarding system for transportation of hazardous
25 materials that is inconsistent with any placarding system
26 required by Federal law or regulation, nor does it authorize

1 the Department to require any placarding system or other
2 standards for transportation of hazardous materials that is
3 more stringent than any placarding system or standard required
4 by the federal law or regulations in situations where a
5 federal placarding system exists.

6 (Source: P.A. 90-449, eff. 8-16-97.)

7 (430 ILCS 50/5.11)

8 Sec. 5.11. Units of local government; hazard signage
9 systems.

10 (a) A unit of local government may adopt ordinances or
11 regulations requiring a hazard signage system applicable to
12 equipment, facilities, structures, or locations involved in
13 the use, storage, or manufacture of hazardous materials,
14 including, but not limited to, lithium-ion batteries. The
15 hazard signage system (such as, but not limited to, the
16 National Fire Protection Association standard "NFPA 704"
17 system as specified in its Standard System for the
18 Identification of the Fire Hazards of Materials for Emergency
19 Response) shall be consistent with any such signage required
20 by federal law or regulation.

21 (b) An ordinance or regulation adopted by a unit of local
22 government under this Section requiring a hazard signage
23 system may not take effect sooner than 90 days after its
24 adoption by the unit of local government.

25 (c) A home rule unit may not regulate hazard signage

1 systems in a manner inconsistent with the regulation of those
2 systems by the State under this Act or by the federal
3 government. This Section is a limitation under subsection (i)
4 of Section 6 of Article VII of the Illinois Constitution on the
5 concurrent exercise by home rule units of powers and functions
6 exercised by the State.

7 (Source: P.A. 90-449, eff. 8-16-97.)

8 (430 ILCS 50/6) (from Ch. 127, par. 1256)

9 Sec. 6. It is the responsibility of any person who leases,
10 operates or controls any facilities, equipment, structures, or
11 locations for the use, storage, or manufacture of hazardous
12 materials, including, but not limited to, lithium-ion
13 batteries, to display on such facility, equipment, structure,
14 or location appropriate hazard signage as described and in
15 such manner as provided by regulation promulgated pursuant to
16 Section 5 of this Act or as provided by ordinance or regulation
17 adopted by a unit of local government pursuant to Section
18 5.11.

19 (Source: P.A. 90-449, eff. 8-16-97.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.