

1 AMENDMENT TO HOUSE BILL 1887

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1887 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Lead Poisoning Prevention Act is amended  
5 by changing Section 12 as follows:

6 (410 ILCS 45/12) (from Ch. 111 1/2, par. 1312)

7 Sec. 12. Violations of Act.

8 (a) Violation of any Section of this Act other than  
9 Section 7 shall be punishable as a Class A misdemeanor.

10 (b) In cases where a person is found to have mislabeled,  
11 possessed, offered for sale or transfer, sold or transferred,  
12 or given away lead-bearing substances, a representative of  
13 the Department shall confiscate the lead-bearing substances  
14 and retain the substances until they are shown to be in  
15 compliance with this Act.

16 (c) In addition to any other penalty provided under this  
17 Act, the court in an action brought under subsection (d) may  
18 impose upon any person who violates or does not comply with a  
19 notice of deficiency and a mitigation order issued under  
20 subsection (7) of Section 9 of this Act a civil penalty not  
21 exceeding \$2,500 for each violation, plus \$250 for each day  
22 that the violation continues.

1       Any civil penalties collected in a court proceeding shall  
2 be deposited into a delegated county lead poisoning  
3 screening, prevention, and abatement fund or, if no delegated  
4 county exists, into the Lead Poisoning Screening, Prevention,  
5 and Abatement Fund.

6       (d) The State's Attorney of the county in which a  
7 violation occurs or the Attorney General may bring an action  
8 for the enforcement of this Act and the rules adopted and  
9 orders issued under this Act, in the name of the People of  
10 the State of Illinois, and may, in addition to other remedies  
11 provided in this Act, bring an action for an injunction to  
12 restrain any actual or threatened violation or to impose or  
13 collect a civil penalty for any violation.

14       (Source: P.A. 87-175.)

15       Section 10. The Environmental Protection Act is amended  
16 by adding Section 22.28a as follows:

17       (415 ILCS 5/22.28a new)

18       Sec. 22.28a. White goods handled by scrap dealership or  
19 junkyard.

20       (a) No owner, operator, agent, or employee of a junkyard  
21 or scrap dealership may knowingly shred, scrap, dismantle,  
22 recycle, incinerate, handle, store, or otherwise manage any  
23 white good that contains any white good components in  
24 violation of this Act or any other applicable State or  
25 federal law.

26       (b) For the purposes of this Section, the terms "white  
27 goods" and "white goods components" have the same meaning as  
28 in Section 22.28.

29       Section 99. Effective date. This Act takes effect upon  
30 becoming law."