

## **Energy Council Leg Watch List**

**IL - HB4236 UTILITIES-SOURCING AGREEMENTS**

Last Action: Referred to Rules Committee (January 16, 2018)

Primary Sponsor: Representative Reginald Phillips (R)

Committee: Rules (House)

Summary: Amends the Illinois Power Agency Act. Provides that the Illinois Power Agency and Illinois Commerce Commission shall include sourcing agreements covering power produced by clean coal and other facilities in each annual power procurement plan. Provides that utilities and alternative retail electric suppliers shall enter into sourcing agreements as part of the annual power procurement process. Provides that the Agency and Commission shall establish competitive bidding procedures for sourcing terms. Sets the requirements of the sourcing agreements. Effective June 1, 2018.

**IL - HB4727 UTILITY-GAS MAIN EXT COSTS**

Last Action: Referred to Rules Committee (February 13, 2018)

Primary Sponsor: Representative Thomas Morrison (R)

Committee: Rules (House)

Summary: Amends the Public Utilities Act. Provides that the Illinois Commerce Commission shall determine that proposed construction will promote the public convenience and necessity only if the utility demonstrates, among other requirements, that for construction serving a discrete area, existing customers will not be required to subsidize the cost of new facilities in excess of any refundable or nonrefundable payments by customers to be served by the new facilities. Provides that if any gas public utility connects an applicant or applicants to its gas distribution system, any costs associated with investments in plant addition in excess of any refundable payment or nonrefundable payment shall be excluded from any cost-recovery mechanism that allocates the excess cost among existing customers. Provides that no later than 60 days after the effective date of this amendatory Act, the Commission shall initiate a docketed investigation reviewing each gas public utility tariff that provides for gas main extensions without additional charge to new customers in excess of the default extensions without charge, and provides for other requirements pertaining to the investigation process. Provides that no later than 60 days after the effective date of this amendatory Act, the Commission shall initiate a rulemaking proceeding providing for rules establishing a uniform method by which natural gas public utilities determine the value of any gas main extensions provided to new customers without additional charge.

**IL - HB4790 COMPOST SOIL CONSTRUCTION**

Last Action: Referred to Rules Committee (February 13, 2018)

Primary Sponsor: Representative Carol Sente (D)

Committee: Rules (House)

Summary: Creates the Compost-Amended Soil Construction Act. Provides that any State agency that undertakes a construction project that requires the use of offsite soil and that is located within 20 miles of any Illinois Environmental Protection Agency-permitted compost facility shall request a

separate bid for compost-amended soil for that project. Provides that the State agency shall consider whether compost-amended soil shall be used based upon the construction cost. Provides that the State agency shall incorporate compost-amended soil into a construction project if the State agency deems the use of compost-amended soil to be appropriate. Provides that, in the 2019 calendar year, the Department of Transportation shall conduct 2 pilot road construction demonstrations using compost-amended soil. Provides that within one year of substantial completion of both projects, the Department shall report to the General Assembly stating the immediate cost of construction, long term operational cost savings, and advantages and disadvantages of using compost-amended soil.

#### **IL - HB4807 SURFACE COAL MINING-LANDFILL**

Last Action: Referred to Rules Committee (February 14, 2018)

Primary Sponsor: Representative Jay Hoffman (D)

Committee: Rules (House)

Summary: Amends the Surface Coal Mining Land Conservation and Reclamation Act. Includes in the scope of the Act the extraction of coal incidental to the development or operation of a sanitary landfill. Effective immediately.

#### **IL - HB4898 NATURAL GAS SURCHARGE**

Last Action: Referred to Rules Committee (February 14, 2018)

Primary Sponsor: Representative Will Guzzardi (D)

Committee: Rules (House)

Summary: Amends the Public Utilities Act. Provides that provisions concerning natural gas surcharges do not apply to a natural gas utility in northern Illinois serving less than 1,000,000 customers on and after the effective date of the amendatory Act. Effective May 31, 2018.

#### **IL - HB4920 PRINCIPAL & INCOME-OIL & GAS**

Last Action: Referred to Rules Committee (February 14, 2018)

Primary Sponsor: Representative Ann M. Williams (D)

Committee: Rules (House)

Summary: Amends the Principal and Income Act. Provides that, only for oil or gas from non-coal formations held in nontrust estates and by legal tenants and remaindermen (instead of "with respect only to nontrust estates, for oil or gas from non-coal formations"), proceeds from the sale of such minerals produced and received as royalty, overriding royalty, limited royalty, working interest, net profit interest, time-limited interest or term interest, or lease bonus shall be deemed income. Deletes language providing that a Section concerning non-trust estates does not apply to life estates and remainder interests in oil or gas from non-coal formations, or royalties or overriding royalties created under leases of such minerals. Makes other changes.

#### **IL - HB4952 EPA-UNDERGROUND STORAGE TANKS**

Last Action: Referred to Rules Committee (February 14, 2018)

Primary Sponsor: Representative Arthur Turner (D)

Committee: Rules (House)

Summary: Amends the Environmental Protection Act. Provides that for an underground storage tank release reported on or after the effective date of the amendatory Act, an owner or operator may access the Underground Storage Tank Fund for costs associated with an Environmental Protection Agency approved plan, and the Agency shall approve the payment of costs associated with corrective action without the application of a deductible, except a \$5,000 deductible shall apply to an owner or operator of an underground storage tank that is not registered under the Gasoline Storage Act. Makes changes, applicable to a release reported on or after the effective date, to provisions concerning payments from the Underground Storage Tank Fund for an application for payment from the Fund for an approved plan and budget for a tank that is registered under the Gasoline Storage Act. Provides that if a full payment is not made within specified periods for the applications for these registered tanks, then the Fund must pay the owner or operator 2% interest per month on any unpaid amount until the owner or operator is fully paid. Provides that if the balance in the Underground Storage Tank Fund falls below \$10,000,000 for a period of 6 months, then the 2% percent monthly interest payments shall be suspended until the Fund balance is above \$10,000,000. Makes other changes. Effective January 1, 2019.

#### **IL - HB4989 MUNI CD-UNDERGRND UTILITIES**

Last Action: Referred to Rules Committee (February 14, 2018)

Primary Sponsor: Representative Fred Crespo (D)

Committee: Rules (House)

Summary: Amends the Illinois Municipal Code. Defines "underground" and "undergrounding". Provides that public utilities shall underground specified electric transmission lines under certain conditions. Provides that the Illinois Commerce Commission shall allow a public utility to recover from all retail customers in its service territory all reasonable and prudent costs that it incurs related to the undergrounding of such transmission lines. Provides that a public utility shall record and defer such costs as a regulatory asset to be included in the public utility's total rate base and amortized over a reasonable period that is equal to the expected life of such transmission line. Effective immediately.

#### **IL - HB4994 SAVING IL POLLINATORS ACT**

Last Action: Referred to Rules Committee (February 14, 2018)

Primary Sponsor: Representative Fred Crespo (D)

Committee: Rules (House)

Summary: Creates the Saving Illinois' Pollinators Act. Provides that beginning 9 months after the effective date of the Act, it shall be unlawful to apply neonicotinoid insecticides on public lands owned or maintained by this State. Provides that beginning 9 months after the effective date of the Act, it shall be unlawful to apply neonicotinoid insecticides in other outdoor residential settings, including landscaping, ornamental, or other outdoor applications in this State. Establishes exemptions to the prohibitions. Provides that the Department of Agriculture shall, within 6 months after the effective date

of the Act, adopt rules to implement the Act. Provides that the Department shall, within one year after the effective date of the Act, issue a draft report evaluating whether clear, peer-reviewed, published scientific evidence exists that outdoor applications of these insecticides are safe for monarch butterflies, other pollinators, other beneficial insects, the broader environment, and human health. Provides that a person who impedes, obstructs, hinders, or otherwise prevents or attempts to prevent the Director of Agriculture in the performance of his or her official duties under the Act is guilty of a Class A misdemeanor. Provides that a person using physical force against the Director in the performance of his or her official duties under the Act is guilty of a Class 4 felony. Effective immediately.

#### **IL - HB5028** HYDRO FRAC TX-PROCEEDS

Last Action: Referred to Rules Committee (February 14, 2018)

Primary Sponsor: Representative Charles Meier (R)

Committee: Rules (House)

Summary: Amends the Illinois Hydraulic Fracturing Tax Act. Provides that 50% of the moneys received under the Act shall be paid into the General Revenue Fund and 50% of the moneys received under the Act shall be paid into the Pension Relief Fund (currently, all of the moneys are paid into the General Revenue Fund). Provides that moneys in the Pension Relief Fund shall be used to make employer contributions required under certain provisions of the Illinois Pension Code. Amends the State Finance Act to make conforming changes.

#### **IL - HB5082** UTILITIES-NATURAL GAS REPORTS

Last Action: Referred to Rules Committee (February 16, 2018)

Primary Sponsor: Representative Thomas Morrison (R)

Committee: Rules (House)

Summary: Amends the Service Obligations and Conditions Article of the Public Utilities Act. Requires a natural gas public utility serving more than 35,000 customers to submit with its annual filing certain information concerning existing and newly installed pipeline facilities to the Illinois Commerce Commission. Requires the Commission to submit a report containing the information and evaluating the safety and reliability of the natural gas distribution system in Illinois to the General Assembly. Requires the reports to be made available to the public on the Commission's website.

#### **IL - HB5083** UTILITY-NATURAL GAS SUBSIDY

Last Action: Referred to Rules Committee (February 16, 2018)

Primary Sponsor: Representative Thomas Morrison (R)

Committee: Rules (House)

Summary: Amends the Public Utilities Act. Provides that a public utility shall demonstrate to the Illinois Commerce Commission that existing customers will not subsidize the cost of new facilities beyond what is provided for in rules and in excess of certain payments by customers for the Commission to approve new construction. Provides that the Commission's order concerning new

construction shall explicitly address the economic impact on customers. Requires the Commission to annually report to the General Assembly a gas utility's projects related to a qualifying infrastructure plant, the projected timeline for the replacement of the cast iron and bare and vintage steel in the utility's system, and whether that timeline is adequate to address public safety concerns and reliability. Provides that when a gas public utility connects an applicant to its gas distribution system, certain costs associated with investments in plant additions shall be excluded from a cost-recovery mechanism that allocates the excess cost among existing customers. Requires the Commission to investigate each gas public utility tariff that provides for gas main extensions without additional charge to new customers. Requires the Commission to initiate a rulemaking proceeding providing for rules to establish a uniform method by which a natural gas public utility determines the value of a gas main extension provided to new customers without additional charge.

### **IL - HB5101 UTILITY-ELECTRIC/NATURAL GAS**

Last Action: Referred to Rules Committee (February 16, 2018)

Primary Sponsor: Representative Marcus C. Evans, Jr. (D)

Committee: Rules (House)

Summary: Amends the Public Utilities Act. In provisions concerning services provided by electric utilities to alternative retail electric suppliers, requires that customers are enrolled with an alternative retail electric supplier through the municipal aggregation process described in the Illinois Power Agency Act when certain electric utilities file a tariff. Creates a natural gas aggregation process by municipalities, townships, and counties. Provides that the corporate authorities of a municipality, township board, or county board of a county may adopt an ordinance under which it may aggregate residential and small commercial retail natural gas loads located within the municipality, township, or county and may enter into service agreements to facilitate for those loads the sale and purchase of natural gas and related services and equipment. Provides that a single billing option shall be offered to customers for both the services provided by the alternative gas supplier and the delivery services provided by the gas utility, provided that the customers are enrolled with the natural gas aggregation process. Requires a gas utility to file a tariff that allows alternative gas suppliers to issue single bills to residential and small commercial customers, provided that the customers are enrolled with the natural gas aggregation process. Makes other changes. Effective immediately.

### **IL - HB5119 ADMINISTRATIVE REVIEW-VARIOUS**

Last Action: Referred to Rules Committee (February 16, 2018)

Primary Sponsor: Representative Steven A. Andersson (R)

Committee: Rules (House)

Summary: Amends the Administrative Review Law of the Code of Civil Procedure. In the definition of "administrative decision", changes references to "parties" to "persons". Provides that administrative decisions made reviewable by statute and final administrative decisions for which there is no other adequate remedy in a court are subject to judicial review. Provides that a person suffering legal wrong because of an administrative decision, or adversely affected or aggrieved by an administrative



decision, is entitled to judicial review of the administrative decision. Provides that the Administrative Review Law shall apply to and govern every action to review judicially a final decision of any administrative agency unless the action is governed by the procedures or provisions of another statute. Strikes language concerning the scope of the Administrative Review Law. Provides that every action to review a final administrative decision shall be commenced by the filing of a complaint and the issuance of summons within 60 (instead of 35) days from the date that a copy of the decision sought to be reviewed was served upon the party affected by the decision. Makes other changes in Sections concerning commencement of action; defendants; scope of review; powers of the circuit court; and direct review of administrative orders by the appellate court. Effective immediately.

#### **IL - HB5134 UTILITIES-MISO ZONE**

Last Action: Referred to Rules Committee (February 16, 2018)

Primary Sponsor: Representative Linda Chapa LaVia (D)

Committee: Rules (House)

Summary: Creates the Downstate Illinois Competitive Generation Procurement and Reliability Security Act of 2018 with legislative findings. Provides for the establishment and implementation of an Illinois-specific process for securing electric generation resource adequacy and stable pricing for electric capacity within Midcontinent Independent System Operator, Inc., (MISO) Zone 4. Amends the Illinois Power Agency Act. Authorizes the Illinois Power Agency to develop capacity procurement plans and conduct competitive procurement processes for the procurement of capacity needed to meet the capacity requirements of the retail customers of electric utilities that serve less than 3,000,000 retail customers, but more than 500,000 retail customers in this State. Requires the Agency's Planning and Procurement Bureau to develop plans and processes and conduct competitive procurement processes for the procurement of capacity needed to meet the capacity requirements of the retail customers of electric utilities that serve less than 3,000,000 retail customers, but more than 500,000 retail customers in this State. Modifies the calculation of the projected capacity price for delivering energy under the Act. Amends the Public Utilities Act to make changes regarding capacity procurement and delivery of energy by the Illinois Power Agency and the Illinois Commerce Commission. Makes conforming changes. Defines terms. Effective immediately.

#### **IL - HB5198 POLLUTION CONTROL FACILITY**

Last Action: Referred to Rules Committee (February 16, 2018)

Primary Sponsor: Representative Lawrence Walsh, Jr. (D)

Committee: Rules (House)

Summary: Amends the Environmental Protection Act. Provides that the portion of a site or facility that receives, separates, stores, and converts post-use polymers into crude oil, fuels, or other raw materials or intermediate or final products or feedstocks using a pyrolysis or gasification process and is regulated under the State's air, water, and waste regulations applicable to manufacturing facilities is not a pollution control facility under the Act. Provides that the definition of "waste" does not include post-use polymers or nonrecycled feedstocks processed through pyrolysis or gasification. Makes

changes to the definition for "municipal waste incineration" in provisions concerning municipal waste incineration emission standards. Defines terms. Makes other changes. Effective immediately.

#### **IL - HB5564 EMINENT DOMAIN - TRIAL BY JURY**

Last Action: Referred to Rules Committee (February 16, 2018)

Primary Sponsor: Representative Anna Moeller (D)

Committee: Rules (House)

Summary: Amends the Eminent Domain Act. Provides that, with specified exceptions, if either party in the condemnation action demands a trial by jury, the condemning authority shall not be granted title or possession and the owner shall not be restrained from denying access to the property until the jury ascertains compensation.

#### **IL - HB5626 ALTERNATIVE ENERGY RATES**

Last Action: Referred to Rules Committee (February 16, 2018)

Primary Sponsor: Representative Gregory Harris (D)

Committee: Rules (House)

Summary: Amends the Public Utilities Act. Requires an alternative retail electric supplier to annually submit certain rate information from the prior 12-month period to the Illinois Commerce Commission and the Attorney General. Requires an alternative retail electric supplier's marketing materials to contain the current utility price. Provides that an alternative retail electric supplier that is certified to serve residential retail customers shall not charge customers who receive financial assistance from the Illinois Low Income Home Energy Assistance Program an amount that exceeds the public utility supply price. Provides that existing agreements between an alternative retail electric supplier and an Illinois Low Income Home Energy Assistance Program recipient that charge the customer an amount that exceeds the public utility price shall not be renewed upon the expiration of the existing agreement. Provides that the annual report the Director of Retail Market Development submits shall include the information alternative retail electric suppliers submitted concerning rates from the prior 12-month period. Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a violation of the provisions concerning obligations of alternative retail electric suppliers in the Public Utilities Act and its administrative rules constitutes a violation under the Consumer Fraud and Deceptive Business Practices Act. Effective immediately.

#### **IL - HB5680 EPA-NPDES DISCHARGE FEE-CITIES**

Last Action: Referred to Rules Committee (February 16, 2018)

Primary Sponsor: Representative Terri Bryant (R)

Committee: Rules (House)

Summary: Amends the Environmental Protection Act. Provides that a specified discharge fee shall not apply to a city with a population of 10,000 or less. Effective immediately.

#### **IL - HB5689 COAL MINING-SELF RESCUERS**



Last Action: Referred to Rules Committee (February 16, 2018)

Primary Sponsor: Representative Jerry Costello, II (D)

Committee: Rules (House)

Summary: Amends the Coal Mining Act. Provides that a coal mine operator must provide caches of additional self-contained self-rescues devices along the mine's primary and secondary escape ways (rather than 30 self-contained self-rescuer devices in each cache located within a mine). Provides that each cache shall have a minimum of one self-contained self-rescuer device for every person who will be in by the cache. Provides that cache locations shall be spaced along each escape way at a 30 minute travel distance. Provides alternate distances for caches if an operator chooses not to use a walk study. Provides that outby rescue chambers must be provided at distances and locations in the mine's emergency response plan and approved by the Mining Board. Makes other changes. Effective immediately.

#### **IL - HB5741 EPA-COMPOUNDS-EMERGING CONCERN**

Last Action: Referred to Rules Committee (February 16, 2018)

Primary Sponsor: Representative Robyn Gabel (D)

Committee: Rules (House)

Summary: Amends the Environmental Protection Act. Requires the Environmental Protection Agency, in coordination with the Illinois Sustainable Technology Center, to make an assessment of available treatment technologies for reducing and removing compounds of emerging concern from wastewater treatment facilities, the statewide applicability of the treatment technologies, and the costs associated with the treatment technologies. Requires the Agency and Illinois Sustainable Technology Center to submit a report of findings from the assessment to the General Assembly by June 30, 2020. Defines "compounds of emerging concern".

#### **IL - HB5743 OIL WELL FRACKING-REPEAL**

Last Action: Referred to Rules Committee (February 16, 2018)

Primary Sponsor: Representative Scott Drury (D)

Committee: Rules (House)

Summary: Amends the Illinois Oil and Gas Act. Provides on and after the effective of the bill, a person may not engage in, and the Department of Natural Resources or any other State agency may not issue a permit for, the hydraulic fracturing of a well for exploration or production in the State. Repeals the Hydraulic Fracturing Regulatory Act. Defines "hydraulic fracturing". Effective immediately.

#### **IL - HB5748 HYDRAULIC FRAC-TAX&APPLICATION**

Last Action: Referred to Rules Committee (February 16, 2018)

Primary Sponsor: Representative Jerry Costello, II (D)

Committee: Rules (House)

Summary: Amends the Illinois Hydraulic Fracturing Tax Act. Provides that the tax rate for the severance and production of oil or gas shall be 1.5% (rather than 3%) of the value of the oil or gas.

Provides that for oil the tax shall be: (i) 1.5% of the value of the oil (rather than 3%) where the average daily production from the well in a month is less than 25 barrels; (ii) 2% of the value of the oil (rather than 4%) where the average daily production from the well in a month is between 25 barrels and 50 barrels; (iii) 2.5% of the value of the oil (rather than 5%) where the average daily production from the well in a month is between 50 barrels and 100 barrels; and (iv) 3% of the value of the oil (rather than 6%) where the average daily production from the well in a month is 100 barrels or more. Provides that for gas the tax shall be 3% (rather than 6%) of the value of the gas. Amends the Hydraulic Fracturing Regulatory Act. Deletes language stating that every applicant for a high volume horizontal hydraulic fracturing permit shall include a traffic management plan on his or her application.

#### **IL - HB5772 CDB-ENERGY CONSERVATION**

Last Action: Referred to Rules Committee (February 16, 2018)

Primary Sponsor: Representative Katie Stuart (D)

Committee: Rules (House)

Summary: Amends the Energy Efficient Building Act. Provides that references to the International Code Council's International Energy Conservation Code includes Appendix RB. Effective immediately.

#### **IL - HB5788 PROCURE-RENEW ENERGY RESOURCES**

Last Action: Referred to Rules Committee (February 16, 2018)

Primary Sponsor: Representative Katie Stuart (D)

Committee: Rules (House)

Summary: Amends the Illinois Procurement Code. Provides that, among other types of contracts, renewable energy resources contracts and leases may be entered into for a period of time deemed to be in the best interest of the State but not exceeding 15 years inclusive of proposed contract or lease renewals. Makes conforming changes. Defines "renewable energy resources". Effective immediately.

#### **IL - HJR59 CYBERSECURITY TASK FORCE**

Last Action: Placed on Calendar Order of Secretary's Desk Resolutions January 31, 2018 (January 30, 2018)

Primary Sponsor: Representative André Thapedi (D)

Committees:

- Rules (House)

- Assignments (Senate)

- State Government (Senate)

- Cybersecurity, Data Analytics, & IT (House)

Summary: Creates the International Cybersecurity Task Force within the Illinois Commerce Commission to review the Joint Analysis Report from the U.S. Department of Homeland Security and the Federal Bureau of Investigation dated December 29, 2016 and entitled "Grizzly Steppe - Russian

Malicious Cyber Activity" and develop strategies to either implement or reject the report recommendations.

### **IL - HR123 ENBRIDGE - ENVIRONMENTAL STUDY**

Last Action: Assigned to Environment (January 24, 2018)

Primary Sponsor: Representative Anna Moeller (D)

Committees:

Environment (House)

Rules (House)

Summary: Urges Enbridge and any other pipeline company transporting fossil fuels to have an environmental impact study conducted by a third-party scientific organization with no ties to the industry before they lay any new section of pipe and before any section of existing pipe begins to transport tar sands oil or natural gas extracted by fracking, requires any environmental impact study to include the long-term impact of burning fossil fuels on the looming climate crisis, and requires Enbridge and any other pipeline company to be held fully responsible for any environmental damages caused by leaks or spills or for agricultural damage to the farms through which their pipelines pass.

### **IL - HR651 ELECTRICAL GRID-IMPROVEMENTS**

Last Action: Placed on Calendar Order of Resolutions (February 14, 2018)

Primary Sponsor: Representative André Thapedi (D)

Committees:

Rules (House)

Energy (House)

Summary: Supports (1) the investigation and consideration of new advanced transmission technologies that offer revolutionary performance benefits when replacing aged transmission infrastructure; (2) the evaluation of new advanced transmission technologies to determine whether they are best able to cost-effectively ensure the continued reliable delivery of electricity while providing revolutionary greater capacity and revolutionary enhanced efficiency on schedules required to meet the state's public policy objectives; (3) the consideration of the ability of these technologies to greatly reduce environmental and visual impacts to communities; and (4) the consideration of the ability of these and other technologies to greatly reduce the overall cost of energy delivery.

### **IL - HR847 ENERGY USAGE-STATE BUILDINGS**

Last Action: Filed with the Clerk by Rep. David S. Olsen (February 16, 2018)

Primary Sponsor: Representative David S. Olsen (R)

Summary: Urges Governor Rauner and Secretary of State White to direct all State agencies to explore ways to reduce energy consumption in state facilities, and to adopt a policy and procedure for turning off all non-essential lights at the end of the day.

**IL - SB959 PREVAILING WAGE PUBLIC UTILITY**

Last Action: Re-assigned to Labor (February 14, 2018)

Primary Sponsor: Senator Jason A. Barickman (R)

Committees:

Assignments (Senate)

Labor (Senate)

Special Issues (LB) (Senate)

Summary: Amends the Prevailing Wage Act. Provides that "public utility company" means: (1) a privately owned public utility as defined and regulated under the Public Utilities Act; (2) a public utility that is owned and operated by any political subdivision, public institution of higher education, or municipal corporation of this State; or (3) a public utility that is owned by a political subdivision, public institution of higher education, or municipal corporation and operated, wholly or in part, by any of its lessees or operating agents. Makes other changes.

**IL - SB1494 MUNI CD-UNDERGRND UTILITIES**

Last Action: Assigned to Energy and Public Utilities (January 24, 2018)

Primary Sponsor: Senator Laura M. Murphy (D)

Committees:

Assignments (Senate)

Energy and Public Utilities (Senate)

Summary: Amends the Illinois Municipal Code. Defines "underground" and "undergrounding". Provides that public utilities shall underground 138 kilowatt or greater electric transmission lines under certain conditions. Provides that the Illinois Commerce Commission shall allow a public utility to recover from all retail customers in its service territory all reasonable and prudent costs that it incurs related to the undergrounding of a 138 kilowatt or greater electric transmission line. Provides that a public utility shall record and defer costs that it incurs related to the undergrounding of transmission lines as a regulatory asset to be included in the public utility's total rate base and amortized over a reasonable period that is equal to the expected life of such transmission line. Effective immediately.

**IL - SB1648 EXCEPTIONAL QUALITY BIOSOLIDS**

Last Action: House Committee Amendment No. 1 Motion to Concur Referred to Environment and Conservation (January 30, 2018)

Primary Sponsor: Senator Pamela J. Althoff (R)

Committees:

Environment (House)

Rules (House)

Assignments (Senate)

Environment and Conservation (Senate)

Summary: Amends the Environmental Protection Act. Provides that Exceptional Quality biosolids shall not be subject to regulation as a sludge or other waste, except as provided in the Nuclear Safety

Law of 2004 in relation to the authority of the Illinois Emergency Management Agency, if specified requirements are met. Provides that nothing in the Act shall limit or supersede the authority of the Illinois Emergency Management Agency under the Nuclear Safety Law of 2004. Effective immediately.

#### **IL - SB2213** EPA-PUBLIC INTEREST ACTIONS

Last Action: Assigned to Labor (January 24, 2018)

Primary Sponsor: Senator Daniel Biss (D)

Committees:

Assignments (Senate)

Labor (Senate)

Summary: Creates the Illinois Workers' Rights and Worker Safety Act. Provides that except as authorized by State law enacted after January 1, 2017, a State agency may not amend or revise its rules relating to protection of workers' rights or worker safety in a manner less stringent than specified federal laws. Provides that a State agency may establish workers' rights and worker safety standards that are more stringent than those provided in federal law in existence as of January 1, 2017. Amends the Environmental Protection Act. Provides that in certain circumstances an action may be brought in a circuit court by a person in the public interest to enforce standards or requirements concerning air, water, drinking water, and endangered and threatened species adopted under specified provisions of the Act and the Illinois Endangered Species Protection Act. Provides that the provisions concerning public interest enforcement shall only become operative if specified events occur. Provides that the enforcement provisions of the Act are severable. Adds provisions concerning protection of the environment, natural resources, and public health. Requires various State agencies to adopt, maintain, and enforce rules concerning air, water, drinking water, and endangered and threatened species that are at least as stringent as various regulatory baselines under federal law, in addition to State law requirements. Provides that every State agency shall undertake all feasible efforts to implement and enforce these provisions. Contains reporting requirements. Deletes provisions providing that an air pollution construction or operating permit shall not be required due to emissions of greenhouse gases if certain events occur. Deletes certain language concerning exemptions from provisions concerning the Clean Air Act Permit Program.

#### **IL - SB2883** USE/OCC TX-GASOHOL

Last Action: Referred to Assignments (February 14, 2018)

Primary Sponsor: Senator Bill Cunningham (D)

Committee: Assignments (Senate)

Summary: Amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act. Provides that, on or after July 1, 2018 and on or before December 31, 2019, the taxes imposed under the Acts apply to 80% of the proceeds of sales of mid-range ethanol blends. Defines mid-range ethanol blend. Effective immediately.

**IL - SB2914 UTILITY-RETAIL MARKET DEVELOP**

Last Action: Referred to Assignments (February 14, 2018)

Primary Sponsor: Senator John G. Mulroe (D)

Committee: Assignments (Senate)

Summary: Amends the Retail Electric Competition Act of 2006 of the Public Utilities Act. Provides that any information in the report submitted by the Office of Retail Market Development on June 30 of each year involving price comparison between electric utilities, electric utilities providing service outside their service territories, or alternative retail electric suppliers shall also include the combined value of certain additional products and services offered by the competitive retail electricity market. Provides that the Illinois Commerce Commission may include other energy savings and marketing savings programs as they develop in the market.

**IL - SB2942 ENERGY PERFORMANCE CONTRACTS**

Last Action: Referred to Assignments (February 14, 2018)

Primary Sponsor: Senator Chapin Rose (R)

Committee: Assignments (Senate)

Summary: Creates the Energy Performance Contracting Act. Requires each governmental unit to implement cost-effective conservation improvements and maintain efficient operation of its facilities in order to minimize energy consumption and related environmental impacts, and reduce operating costs. Provides that any governmental unit may enter into an energy performance contract with a qualified energy service provider to produce utility savings or operating and maintenance cost-savings. Designates the Smart Energy Design Assistance Center as the lead agency for the development and promotion of a program of performance contracts in governmental units under the Act, and provides requirements and duties for that agency. Provides for the selection process of qualified energy service providers. Provides for audits, payments, and term requirements for energy performance contracts entered into under the Act. Provides for the monitoring and reporting of energy consumption and cost-savings under an energy performance contract. Provides for the use of savings from performance contracts. Provides that the provisions of the Act shall prevail and control over conflicting provisions of law, and that any conflicting provisions of any statute enacted prior to the Act are hereby repealed. Defines terms. Amends the Illinois Procurement Code to make conforming changes. Effective immediately.

**IL - SB3012 POWER AGENCY REPORT-PROCUREMENT**

Last Action: Referred to Assignments (February 15, 2018)

Primary Sponsor: Senator Chris Nybo (R)

Committee: Assignments (Senate)

Summary: Amends the Illinois Power Agency Act. Provides that the Illinois Power Agency shall issue a report evaluating the implementation of the electric supply procurement requirements and processes set forth in the Act through the period ending May 31, 2018. Provides for repeal of the provisions on January 1, 2020. Effective immediately.



**IL - SB3013 ICC-REPORT-EMERGING TECHNOLOGY**

Last Action: Referred to Assignments (February 15, 2018)

Primary Sponsor: Senator Chris Nybo (R)

Committee: Assignments (Senate)

Summary: Amends the Public Utilities Act. Requires the Illinois Commerce Commission to conduct at least one workshop and issue a report concerning how the State can continue to encourage electric utilities in their efforts regarding the evaluation of emerging technologies, products, and services associated with the provision of electric service to provide their customers with reliable, efficient, and safe electric service. Provides for repeal of the provisions on January 1, 2020. Effective immediately.

**IL - SB3014 ICC-REPORT-ELEC VEHICLES**

Last Action: Referred to Assignments (February 15, 2018)

Primary Sponsor: Senator Chris Nybo (R)

Committee: Assignments (Senate)

Summary: Amends the Public Utilities Act. Requires the Illinois Commerce Commission to conduct at least one workshop and issue a report concerning whether the development, construction, and installation of new publicly-accessible electric vehicle charging stations would increase utilization of electric vehicles by the citizens of this State. Provides for repeal of the provisions on January 1, 2020. Effective immediately.

**IL - SB3016 NUCLEAR SAFETY-INSPECTORS**

Last Action: Referred to Assignments (February 15, 2018)

Primary Sponsor: Senator Sue Rezin (R)

Committee: Assignments (Senate)

Summary: Amends the Nuclear Safety Law of 2004. Removes certain provisions concerning the Illinois Emergency Management Agency's powers over nuclear steam-generating facility inspectors. Defines "nuclear steam-generating facility" for provisions concerning boiler and pressure vessel safety. Amends the Illinois Nuclear Safety Preparedness Act. Defines "nuclear steam-generating facility" and corrects a cross-reference. Effective immediately.

**IL - SB3031 GREEN BUILDINGS-REQUIREMENTS**

Last Action: Referred to Assignments (February 15, 2018)

Primary Sponsor: Senator Chuck Weaver (R)

Committee: Assignments (Senate)

Summary: Amends the Energy Efficient Building Act. Provides that the International Code Council's International Energy Conservation Code, as adopted by the Capital Development Board, shall also apply to certain State facilities beginning on the effective date of the amendatory Act. Amends the Green Buildings Act. Removes provisions providing that construction and major renovation projects must achieve the highest level of certification practical within the project budget. Provides that new

State-funded building construction and major renovations of existing State-owned facilities must be designed to achieve, at a minimum, the silver certification of the Leadership in Energy and Environmental Design's rating system or an equivalent standard. Amends the Capital Development Board Act. Repeals a Section of the Act concerning the adoption of a statewide energy code. Effective immediately.

#### **IL - SB3051** UTILITY-ENERGY SAVING PROGRAMS

Last Action: Referred to Assignments (February 15, 2018)

Primary Sponsor: Senator John G. Mulroe (D)

Committee: Assignments (Senate)

Summary: Amends the Retail Electric Competition Act of 2006 of the Public Utility Act. Provides that the Illinois Commerce Commission may establish a program for promoting expanded use of energy saving programs for residential and small commercial customers. Provides that on or before September 1, 2018 and every 2 years thereafter, the Commission shall initiate a collaborative workshop for certain individuals developing energy savings devices and applications. Provides that any recommendations arising from the workshop shall be included in the annual report of the Office of Retail Market Development.

#### **IL - SB3055** ENVIRONMENTAL MITIGATION TRUST

Last Action: Referred to Assignments (February 15, 2018)

Primary Sponsor: Senator Heather A. Steans (D)

Committee: Assignments (Senate)

Summary: Amends the Environmental Protection Act. Provides that the Environmental Protection Agency shall administer the moneys available to the State under a specified environmental mitigation trust agreement for states. Provides that the Agency may allocate administrative costs to specified eligible mitigation actions. Provides that a Beneficiary Mitigation Plan submitted by the State under the specified environmental trust agreement shall comply with these provisions. Provides that a Beneficiary Mitigation Plan filed within 60 days after the effective date of the amendatory Act shall be revised to comply with the amendatory Act and resubmitted in accordance with the specified environmental mitigation trust agreement. Effective immediately.

#### **IL - SB3065** UTILITIES-ICC QUORUM

Last Action: Referred to Assignments (February 15, 2018)

Primary Sponsor: Senator Dale A. Righter (R)

Committee: Assignments (Senate)

Summary: Amends the Public Utilities Act. Removes language providing that if there is no vacancy on the Illinois Commerce Commission, 4 members of the Commission shall constitute a quorum to transact business. Effective immediately.

#### **IL - SB3101** EPA-VOLKSWAGEN SETTLEMENT

Last Action: Referred to Assignments (February 15, 2018)

Primary Sponsor: Senator Cristina Castro (D)

Committee: Assignments (Senate)

Summary: Amends the Environmental Protection Act. Contains provisions requiring the Environmental Protection Agency to create a State beneficiary mitigation plan in accordance with specified consent decrees. Provides that the Agency shall establish the Volkswagen Settlement Task Force. Contains provisions concerning the membership of the Task Force. Provides that the Task Force shall conduct listening sessions, review the requirements of a specified trust agreement, evaluate public comments, and prepare a report of its recommendations for use of the funds received by the State from the trust agreement. Provides that the Task Force shall submit the report to the Governor and the General Assembly by no later than January 1, 2019. Provides that based on information provided by the Task Force, a public comment period, and other specified considerations, the Agency shall create a draft and final version of the State plan. Provides that within 30 days of the effective date, the Environmental Protection Agency shall create a page on its website that provides the public with specified information relating to the specified consent decrees. Effective immediately.

#### **IL - SB3123 ICC-REPORT-JOB TRAINING**

Last Action: Referred to Assignments (February 15, 2018)

Primary Sponsor: Senator Chris Nybo (R)

Committee: Assignments (Senate)

Summary: Amends the Public Utilities Act. Requires the Illinois Commerce Commission, in coordination with the Department of Commerce and Economic Opportunity, to issue a report evaluating the degree to which public utilities' support of job education and training leads to job creation and economic growth in the State. Provides for repeal of the provisions on January 1, 2020. Effective immediately.

#### **IL - SB3124 ICC-REPORT-RATE STRUCTURES**

Last Action: Referred to Assignments (February 15, 2018)

Primary Sponsor: Senator Chris Nybo (R)

Committee: Assignments (Senate)

Summary: Amends the Public Utilities Act. Requires the Illinois Commerce Commission to issue a report evaluating the degree to which rate structures can create incentives for economic development in the State. Provides for repeal of the provisions on January 1, 2020. Effective immediately.

#### **IL - SB3129 POLLUTION CONTROL FACILITY**

Last Action: Referred to Assignments (February 15, 2018)

Primary Sponsor: Senator Pat McGuire (D)

Committee: Assignments (Senate)

Summary: Amends the Environmental Protection Act. Provides that the portion of a site or facility that receives, separates, stores, and converts post-use polymers into crude oil, fuels, or other raw

materials or intermediate or final products or feedstocks using a pyrolysis or gasification process and is regulated under the State's air, water, and waste regulations applicable to manufacturing facilities is not a pollution control facility under the Act. Provides that the definition of "waste" does not include post-use polymers or nonrecycled feedstocks processed through pyrolysis or gasification. Makes changes to the definition for "municipal waste incineration" in provisions concerning municipal waste incineration emission standards. Defines terms. Makes other changes. Effective immediately.

#### **IL - SB3131 UTILITIES-VARIOUS**

Last Action: Referred to Assignments (February 15, 2018)

Primary Sponsor: Senator Sue Rezin (R)

Committee: Assignments (Senate)

Summary: Amends the Public Utilities Act. Changes references to "hearing examiner" to references to "administrative law judge" throughout the Act. Repeals provisions concerning emission allowances, conducting a study on billing practices and policies, conducting a study on strategic options for changing the structure of energy service markets, conducting a study on the feasibility of wheeling electricity in the State, rules for recovering costs of canceled facilities, recovery of additional charges refunded to customers, conducting a study on implementing promotional rates for industrial and commercial customers, alternative rate regulations, and conducting a study on patterns of entry and exit for each relevant market for telecommunications services. Removes references to repealed provisions. Makes conforming changes in the High Speed Internet Services and Information Technology Act. Makes other changes. Effective immediately.

#### **IL - SB3156 EPA-ENFORCEMENT**

Last Action: Referred to Assignments (February 16, 2018)

Primary Sponsor: Senator Omar Aquino (D)

Committee: Assignments (Senate)

Summary: Amends the Enforcement Title of the Environmental Protection Act. Provides that the Environmental Protection Agency shall cause investigations to be made as a result of the Agency's own investigation or knowledge. Provides that in all cases in which an alleged violation may have a continuing effect on the environment, the Agency shall promptly notify the Attorney General and the State's Attorney for the county in which the alleged violation is occurring. Provides that in all cases the Agency shall refer to the Attorney General and the State's Attorney of the county in which the alleged violation occurred information regarding the violation if a violation is continuing to occur or a penalty for past violations may be appropriate. Makes corresponding and other changes. Effective immediately.

#### **IL - SB3174 OIL & GAS-WELL**

Last Action: Referred to Assignments (February 16, 2018)

Primary Sponsor: Senator David Koehler (D)

Committee: Assignments (Senate)

Summary: Amends the Illinois Oil and Gas Act. Provides that wells with horizontal or directional extensions from a vertical bore hole shall not be classified as confidential. Provides that the length and direction of these wells shall be included in the Department of Natural Resources' weekly permit logs. Provides that all chemicals used during drilling and completion of these wells shall be contained in specified publications. Effective immediately.

#### **IL - SB3214** SOLAR SITE-POLLINATOR FRIENDLY

Last Action: Referred to Assignments (February 16, 2018)

Primary Sponsor: Senator Jason A. Barickman (R)

Committee: Assignments (Senate)

Summary: Creates the Pollinator Friendly Solar Site Act. Provides that an owner of a ground-mounted solar site may follow practices that: (1) provide native perennial vegetation and foraging habitat which is beneficial to game birds, songbirds, and pollinators; and (2) reduce storm water runoff and erosion at the solar site. Provides that an owner or manager of a solar site with a generating capacity of more than 40 kilowatts implementing site management practices under the Act may claim that the site is "pollinator-friendly" or provides benefits to game birds, songbirds, and pollinators only if the site adheres to guidance set forth by the pollinator friendly scorecard published by the Department of Natural Resources in consultation with stakeholders. Provides that an owner making a beneficial habitat claim shall make the solar site's pollinator score card, and where available, related vegetation management plans, available to the public and provide a copy to the Department of Natural Resources and a nonprofit solar industry trade association of the State. Effective immediately.

#### **IL - SB3238** USE/OCC TAX-COAL SUNSET

Last Action: Referred to Assignments (February 16, 2018)

Primary Sponsor: Senator Don Harmon (D)

Committee: Assignments (Senate)

Summary: Amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act. Provides that the exemption for coal and aggregate exploration, mining, off-highway hauling, processing, maintenance, and reclamation equipment sunsets on June 30, 2023 (currently, the exemption is subject to the Acts' automatic sunset provisions). Effective immediately.

#### **IL - SB3292** UTILITIES-MISO ZONE

Last Action: Referred to Assignments (February 16, 2018)

Primary Sponsor: Senator James F. Clayborne, Jr. (D)

Committee: Assignments (Senate)

Summary: Creates the Downstate Illinois Competitive Generation Procurement and Reliability Security Act of 2018 with legislative findings. Provides for the establishment and implementation of an Illinois-specific process for securing electric generation resource adequacy and stable pricing for electric capacity within Midcontinent Independent System Operator, Inc., (MISO) Zone 4. Amends the

Illinois Power Agency Act. Authorizes the Illinois Power Agency to develop capacity procurement plans and conduct competitive procurement processes for the procurement of capacity needed to meet the capacity requirements of the retail customers of electric utilities that serve less than 3,000,000 retail customers, but more than 500,000 retail customers in this State. Requires the Agency's Planning and Procurement Bureau to develop plans and processes and conduct competitive procurement processes for the procurement of capacity needed to meet the capacity requirements of the retail customers of electric utilities that serve less than 3,000,000 retail customers, but more than 500,000 retail customers in this State. Modifies the calculation of the projected capacity price for delivering energy under the Act. Amends the Public Utilities Act to make changes regarding capacity procurement and delivery of energy by the Illinois Power Agency and the Illinois Commerce Commission. Makes conforming changes. Defines terms. Effective immediately.

### **IL - SB3309 COAL & WATER RECLAMATION FUNDS**

Last Action: Referred to Assignments (February 16, 2018)

Primary Sponsor: Senator Paul Schimpf (R)

Committee: Assignments (Senate)

Summary: Amends the Abandoned Mined Lands and Water Reclamation Act. Provides that expenditures on abandoned lands may be used for the restoration of land and water resources and the environment that have been degraded by the adverse effects of coal mining practices and are adjacent to a site. Provides that the Department of Natural Resources may set aside up to 30 percent of each year's allocation of available abandoned mine reclamation funds distributed annually from the State share and historic coal share funds into a separate fund for the abatement of the causes and treatment of the effects of acid mine drainage in a comprehensive manner within qualified hydrologic units affected by coal mining practices. Provides that these funds shall be deposited into a special State account and will be used and accounted for in accordance with all applicable State and federal regulations used solely to achieve the priorities stated in Title IV of the federal Surface Mining Control and Reclamation Act of 1977. Repeals a provision providing that open and abandoned tunnels, shafts, and entryways and abandoned and deteriorating equipment, structures, and facilities resulting from any previous non-coal mining operations constitute a hazard to the public health and safety. Defines "qualified hydrologic unit". Makes other changes.

### **IL - SB3506 EPA-GROUNDWATER MONITORING**

Last Action: Referred to Assignments (February 16, 2018)

Primary Sponsor: Senator Pat McGuire (D)

Committee: Assignments (Senate)

Summary: Amends the Environmental Protection Act. Provides that within 180 days after the effective date of the amendatory Act, the Pollution Control Board shall adopt amendments to the rules adopted under specified provisions of the Act to require groundwater monitoring at all clean construction or demolition debris fill operations and all uncontaminated soil fill operations. Provides that the groundwater monitoring requirements adopted under specified provisions shall be designed to detect



and prevent exceedances of the Board's Class I groundwater quality standards and meet specified requirements. Provides that groundwater monitoring shall be required for all clean construction or demolition debris fill operations and all uncontaminated soil fill operations unless, before the effective date of the amendatory Act, the owner or operator has completed post-closure maintenance and, for clean construction or demolition debris fill operations, received specified notice from the Environmental Protection Agency, or, for uncontaminated soil fill operations, submitted specified information to the Agency. Effective immediately.

#### **IL - SB3533 PROCURE-RENEW ENERGY RESOURCES**

Last Action: Referred to Assignments (February 16, 2018)

Primary Sponsor: Senator Pamela J. Althoff (R)

Committee: Assignments (Senate)

Summary: Amends the Illinois Procurement Code. Provides that, among other types of contracts, renewable energy resources contracts and leases may be entered into for a period of time deemed to be in the best interest of the State but not exceeding 15 years inclusive of proposed contract or lease renewals. Makes conforming changes. Defines "renewable energy resources". Effective immediately.

#### **IL - SB3548 OIL AND GAS-PUBLIC NOTICE**

Last Action: Referred to Assignments (February 16, 2018)

Primary Sponsor: Senator Chapin Rose (R)

Committee: Assignments (Senate)

Summary: Amends the Illinois Oil and Gas Act. Provides that the Department of Natural Resources shall evaluate releases of contaminants whenever it determines that the extent of the leaking salt water, oil, gas, or other deleterious substance into any fresh water or onto the surface of the land that may extend beyond the boundary of the site where the release occurred and take appropriate actions in response. Provides notice requirements if the Department determines that the leaking salt water, oil, gas, or other deleterious substance extends beyond the boundary of the release site or poses an imminent danger to the health or safety of the public. Provides notice requirements if the Department refers a matter for enforcement under the Act or the Department, the United States Environmental Protection Agency, or a third party performs an immediate removal order under the federal Comprehensive Environmental Response, Compensation, and Liability Act. Provides that notices may contain certain information concerning the contaminated site, the contaminant released, where the contaminant was released, a description of the potential adverse health effects, the environmental impact of the contaminant, and contact information for the Department for further information about the release.

#### **IL - SB3549 OIL AND GAS-GAS STORAGE FIELDS**

Last Action: Referred to Assignments (February 16, 2018)

Primary Sponsor: Senator Chapin Rose (R)

Committee: Assignments (Senate)

Summary: Amends the Illinois Oil and Gas Act. Provides that the Department of Natural Resources shall conduct annual inspections at all gas storage fields in the State to ensure that there are no infrastructure deficiencies or failures that could pose any harm to public health. Provides that the owner of the gas storage field shall cover the costs of the annual inspection.

#### **IL - SB3577 UTILITIES-ELECTRIC SERVICE**

Last Action: Referred to Assignments (February 16, 2018)

Primary Sponsor: Senator Don Harmon (D)

Committee: Assignments (Senate)

Summary: Amends the Electric Service Customer Choice and Rate Relief Law Of 1997 of the Public Utilities Act. Provides that the Illinois Commerce Commission shall grant the application for a certificate of service authority if it finds, among other findings, that the applicant discloses any formal complaints that seek a binding determination from a state or federal regulatory body and verifies that a complaint should not be a basis for denying the certificate of service authority. Provides that the Illinois Commerce Commission shall conduct at least one compliance education training meeting annually for certain alternative retail electric suppliers to discuss regulatory requirements, complaint statistics, and other information determined necessary by the Commission. Effective immediately.

#### **IL - SR1416 DNR OIL & GAS-REPORT**

Last Action: Referred to Assignments (February 16, 2018)

Primary Sponsor: Senator Chapin Rose (R)

Committee: Assignments (Senate)

Summary: Directs the Department of Natural Resources to compile a report reviewing the current regulations for oil and gas pipelines in Illinois and make recommendations for changes of those regulations to improve public safety.