

AN ACT concerning State government.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Business Assistance and Regulatory Reform Act is amended by changing Sections 5, 10, and 15 and by adding Section 7 as follows:

(20 ILCS 608/5)

Sec. 5. Goal. The goal of this Act is to improve the State's business climate by making it easier for ~~small and mid-size~~ businesses to deal with State requirements for doing business. Subject to appropriation, this ~~This~~ goal will be achieved through providing prompt ~~quick~~, accurate information about ~~on~~ existing requirements, and avoiding unnecessary requirements, and increasing the transparency and accessibility of permitting processes by consolidating status updates from State agencies regarding the issuance of permits for covered projects.

(Source: P.A. 88-404.)

(20 ILCS 608/7 new)

Sec. 7. Covered project. As used in this Act, "covered project" means any project in Illinois that: (1) involves the construction of infrastructure for renewable or conventional

energy production, electricity transmission, surface transportation, aviation, ports and waterways, water resource development, broadband, pipelines, or manufacturing; (2) requires authorization or environmental review by a State agency; (3) is likely to require a total future investment of more than \$20,000,000; and (4) is the subject of a petition for recognition as a covered project that has been approved by the Department.

(20 ILCS 608/10)

Sec. 10. Executive Office. There is created an Office of Business Permits and Regulatory Assistance (hereinafter referred to as "office") within the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) which shall ~~consolidate existing programs throughout State government,~~ provide assistance to businesses ~~with fewer than 500 employees~~ in meeting State requirements for doing business and perform other functions specified in this Act. The office shall use information technology tools to track schedules for covered projects and metrics in order to improve transparency and accountability in the permitting process, reduce uncertainty and delays, and reduce costs and risks to taxpayers. The ~~By March 1, 1994, the office shall complete and file with the Governor and the General Assembly a plan for the implementation of this Act. Thereafter, the~~ office shall carry out the provisions of this Act, subject to

funding through appropriation.

(Source: P.A. 98-463, eff. 8-16-13.)

(20 ILCS 608/15)

Sec. 15. Providing Information and Expediting Permit Reviews.

(a) The office shall provide an online information system using a website ~~toll free business assistance number. The number shall be~~ advertised throughout the State. Interested businesses shall ~~if requested, the caller will~~ be sent, electronically, a basic business kit, describing the basic requirements and procedures for doing business in Illinois. ~~if requested, the caller shall be directed to one or more of the additional services provided by the office. All persons providing advice to callers on behalf of the office and all persons responsible for directly providing services to persons visiting the office or one of its branches shall be persons with small business experience in an administrative or managerial capacity.~~

(b) (Blank).

(c) Any applicant for permits required for a business activity may confer with the office to obtain assistance in the prompt and efficient processing and review of applications. The office shall, subject to appropriation, ~~may~~ designate an employee of the office to act as a permit assistance manager to:

(1) facilitate contacts for the applicant with responsible agencies;

(2) arrange conferences to clarify the requirements of interested agencies;

(3) consider with State agencies the feasibility of consolidating hearings and data required of the applicant;

(4) assist the applicant in resolution of outstanding issues identified by State agencies; and

(5) coordinate federal, State and local regulatory procedures and permit review actions to the extent possible.

(d) The office shall publish an online ~~a~~ directory of State business permits and State programs to assist ~~small~~ businesses.

(e) The office shall attempt to establish agreements with local governments to allow the office to provide assistance to applicants for permits required by these local governments.

(f) (Blank). ~~Interested State agencies shall, to the maximum extent feasible, establish procedures to expedite applications for infrastructure projects. Applications for permits for infrastructure projects shall be approved or disapproved within 45 days of submission, unless law or regulations specify a different period. If the interested agency is unable to act within that period, the agency shall provide a written notification to the office specifying reasons for its inability to act and the date by which approval~~

~~or disapproval shall be determined. The office may require any interested State agency to designate an employee who will coordinate the handling of permits in that area.~~

(g) In addition to its responsibilities in connection with permit assistance, the office shall provide general regulatory information by directing businesses to appropriate officers in State agencies to supply the information requested.

(h) The office shall help businesses to locate and apply to training programs available to train current employees in particular skills, techniques or areas of knowledge relevant to the employees' present or anticipated job duties. In pursuit of this objective, the office shall provide businesses with pertinent information about training programs offered by State agencies, units of local government, public universities and colleges, community colleges, and school districts in Illinois.

(i) The office shall help businesses to locate and apply to State programs offering to businesses grants, loans, loan or bond guarantees, investment partnerships, technology or productivity consultation, or other forms of business assistance.

(j) To the extent authorized by federal law, the office shall assist businesses in ascertaining and complying with the requirements of the federal Americans with Disabilities Act.

(k) The office shall provide confidential on-site assistance in identifying problems and solutions in compliance

with requirements of State and federal environmental regulations. The office shall work through and contract with the Illinois Sustainable Technology Center to provide confidential on-site consultation audits that (i) assist regulatory compliance and (ii) identify pollution prevention opportunities.

(k-5) Until July 1, 2012, the office shall provide confidential on-site assistance, including, but not limited to, consultation audits, to identify problems and solutions regarding compliance with the requirements of the federal Occupational Safety and Health Administration. On and after July 1, 2012, the Department of Labor shall provide confidential on-site assistance, including, but not limited to, consultation audits, to identify problems and solutions regarding compliance with the requirements of the federal Occupational Safety and Health Administration.

(l) The office shall provide information on existing loan and business assistance programs provided by the State.

(m) Each State agency having jurisdiction to approve or deny a permit shall have the continuing power heretofore or hereafter vested in it to make such determinations. The provisions of this Act shall not lessen or reduce such powers and shall modify the procedures followed in carrying out such powers only to the extent provided in this Act.

(n) (1) Each State agency shall, subject to appropriation, fully cooperate with the office in providing information,

documentation, personnel or facilities requested by the office.

(2) Each State agency shall annually provide the office with processes and timelines for all permits having jurisdiction of any permit to which the master application procedure is applicable shall designate an employee to act as permit liaison office with the office in carrying out the provisions of this Act.

(o) (1) The office shall, subject to appropriation, identify and track metrics for the timeline of permit reviews, permit decisions, and project outcomes for covered projects ~~has authority, but is not required, to keep and analyze appropriate statistical data regarding the number of permits issued by State agencies, the amount of time necessary for the permits to be issued, the cost of obtaining such permits, the types of projects for which specific permits are issued, a geographic distribution of permits, and other pertinent data the office deems appropriate.~~

The office shall, subject to appropriation, administer and expand the use of online transparency tools providing:

(i) tracking and reporting metrics;

(ii) posting of regulatory timelines for permit reviews and permit decisions; those timelines shall be provided to the office by each State agency having jurisdiction over permits;

(iii) the sharing of best practices relating to

efficient project permitting and reviews; those best practices shall be provided to the office by each State agency having jurisdiction over permits; and

(iv) a visual display of relevant geospatial data to support the permitting process. ~~make such data and any analysis of the data available to the public.~~

(2) The office may ~~has authority, but is not required,~~ to conduct or cause to be conducted a thorough review of any agency's permit requirements and the need by the State to require such permits. The office shall draw on the review, on its direct experience, and on its statistical analyses to prepare recommendations regarding how to:

(i) eliminate unnecessary or antiquated permit requirements;

(ii) consolidate duplicative or overlapping permit requirements;

(iii) simplify overly complex or lengthy application procedures;

(iv) expedite time-consuming agency review and approval procedures; or

(v) otherwise improve the permitting processes in the State.

The office shall submit copies of all recommendations within 5 days of issuance to the affected agency, the Governor, the General Assembly, and the Joint Committee on Administrative Rules.

(p) The office may ~~has authority to~~ review State forms ~~on its own initiative or upon the request of another State agency~~ to ascertain the burden, if any, of complying with those forms. If the office determines that a form is unduly burdensome to business, it may recommend to the agency issuing the form either that the form be eliminated or that specific changes be made in the form.

(q) Not later than March 1 of each year, beginning March 1, 1995, the office shall submit an annual report of its activities during the preceding year to the Governor and General Assembly. The report shall describe the activities of the office during the preceding year and shall contain statistical information on the permit assistance activities of the office.

(r) All provisions of this Section are subject to adequate appropriation for the purpose of carrying out provisions of this Section.

(Source: P.A. 97-787, eff. 7-13-12; 98-346, eff. 8-14-13.)