

1 AN ACT concerning petroleum marketing.

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

4 Section 5. The Illinois Petroleum Education and
5 Marketing Act is amended by changing Sections 5, 10, 30, and
6 35 as follows:

7 (225 ILCS 728/5)

8 (Section scheduled to be repealed on January 1, 2008)

9 Sec. 5. Definitions. As used in this Act:

10 "Board" means the Illinois Petroleum Resources Board.

11 "Interest owner" means a person who owns or possesses an
12 interest in the gross production of oil or gas produced from
13 a well in Illinois.

14 "Person" means an individual, group of individuals,
15 partnership, corporation, association, limited liability
16 company, cooperative, or any other entity or an employee of
17 the entity.

18 "Producer" means a person who produces oil and gas or who
19 derives a majority of his or her oil and gas income from
20 working interest.

21 "Qualified producer association" means an entity that is
22 organized and operating within the State and that represents
23 oil producers on a Statewide basis.

24 (Source: P.A. 90-614, eff. 7-10-98.)

25 (225 ILCS 728/10)

26 (Section scheduled to be repealed on January 1, 2008)

27 Sec. 10. Illinois Petroleum Resources Board.

28 (a) There is hereby created until January July 1, 2008
29 2002, the Illinois Petroleum Resources Board which shall be
30 subject to the provisions of the Regulatory Agency Sunset

1 Act. The purpose of the Board is to coordinate a program
2 designed to demonstrate to the general public the importance
3 of the Illinois oil exploration and production industry, to
4 encourage the wise and efficient use of energy, to promote
5 environmentally sound production methods and technologies, to
6 develop existing supplies of State oil resources, and to
7 support research and educational activities concerning the
8 oil exploration and production industry.

9 (b) The Board shall be composed of 12 members to be
10 appointed by the Governor. The Governor shall make
11 appointments from a list of names submitted by qualified
12 producer associations, of which 10 shall be oil and gas
13 producers.

14 (c) A member of the Board shall:

15 (1) be at least 25 years of age;

16 (2) be a resident of the State of Illinois; and

17 (3) have at least 5 years of active experience in
18 the oil industry.

19 (d) Members shall serve for a term of 3 years, except
20 that of the initial appointments, 4 members shall serve for
21 one year, 4 members for 2 years, and 4 members for 3 years.

22 (e) Vacancies shall be filled for the unexpired term of
23 office in the same manner as the original appointment.

24 (f) The Board shall, at its first meeting, elect one of
25 its members as chairperson, who shall preside over meetings
26 of the Board and perform other duties that may be required by
27 the Board. The first meeting of the Board shall be called by
28 the Governor.

29 (g) No member of the Board shall receive a salary or
30 reimbursement for duties performed as a member of the Board,
31 except that members are eligible to receive reimbursement for
32 travel expenses incurred in the performance of Board duties.

33 (Source: P.A. 90-614, eff. 7-10-98.)

1 (225 ILCS 728/30)

2 (Section scheduled to be repealed on January 1, 2008)

3 Sec. 30. Assessment on oil and gas production.

4 (a) To fund the activities of the Illinois Petroleum
5 Resources Board, an assessment shall be levied in the amount
6 of one-tenth of 1% of gross revenues of oil and gas produced
7 from each well in the State of Illinois.

8 (b) The assessment levied by subsection (a) of this
9 Section shall be deducted from the proceeds of production and
10 collected by the first purchaser. The assessment, which is
11 imposed on the interest owner ~~produceer~~, shall be remitted to
12 the Department of Revenue by the first purchaser on a tax
13 return filed no later than the 15th day of each month
14 following the end of the month in which the assessment was
15 collected. To defray the costs of receiving and depositing
16 the assessments levied by this Section, the Department of
17 Revenue shall retain \$750 per month of the assessments
18 received for deposit into the Tax Compliance and
19 Administration Fund. The remaining moneys received by the
20 Department of Revenue pursuant to this Section shall be
21 deposited into the Illinois Petroleum Resources Revolving
22 Fund.

23 (c) The Board shall be responsible for taking
24 appropriate legal actions to collect any assessment which is
25 not paid or is not properly paid.

26 (Source: P.A. 90-614, eff. 7-10-98.)

27 (225 ILCS 728/35)

28 (Section scheduled to be repealed on January 1, 2008)

29 Sec. 35. Refunds.

30 (a) Any person subject to the assessment levied by
31 Section 30 of this Act may request a refund as provided in
32 this Section of the assessment paid on production for the
33 preceding calendar year. Upon compliance with the provisions

1 of this Section and rules adopted by the Board to implement
2 this Section, the Board shall refund to each person
3 requesting a refund the amount of the assessment paid by or
4 on behalf of the person during the preceding calendar year.
5 Refunds made to producers will include interest earned at the
6 rate equal to the average United States Treasury bill rate of
7 the preceding calendar year as certified by the State
8 Treasurer.

9 (b) The request for a refund of the assessment paid on
10 production for the preceding calendar year must be made
11 during the first 3 calendar months following the calendar
12 year for which the refund is requested. Failure to request a
13 refund during this period shall terminate the right of any
14 person to receive a refund for the assessment paid on
15 production for the preceding calendar year. The Board shall
16 give notice of the availability of the refund through press
17 releases or another means it deems appropriate.

18 (c) Each person requesting a refund shall execute an
19 affidavit showing the amount of refund requested and
20 demonstrating that the affiant was the interest owner of the
21 production for which the refund is requested. The Board may
22 verify the accuracy of the request for refund.

23 (d) No entity or person requesting a refund under this
24 Section shall be eligible to serve or have a representative
25 serve as a member of the Board.

26 (Source: P.A. 90-614, eff. 7-10-98.)

27 Section 99. Effective date. This Act takes effect upon
28 becoming law.