

1 AN ACT concerning the Department of Commerce and
2 Community Affairs.

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

5 Section 5. The Department of Commerce and Community
6 Affairs Law of the Civil Administrative Code of Illinois is
7 amended by changing Section 605-500 as follows:

8 (20 ILCS 605/605-500) (was 20 ILCS 605/46.13)

9 Sec. 605-500. Business Assistance Office. To create a
10 Business Assistance Office to do the following:

11 (1) Provide information to new and existing businesses
12 for all State government forms and applications and make this
13 information readily available through a business permit
14 center. The Office shall not assume any regulatory function.
15 All State agencies shall cooperate with the business permit
16 center to provide the necessary information, materials, and
17 assistance to enable the center to carry out its function in
18 an effective manner. Each agency shall designate an
19 individual to serve as liaison to the center to provide
20 information and materials and to respond to requests for
21 assistance from businesses.

22 (2) Provide technical and managerial assistance to
23 entrepreneurs and small businesses by (i) contracting with
24 local development organizations, chambers of commerce, and
25 industry or trade associations with technical and managerial
26 expertise located in the State, whenever possible, and (ii)
27 establishing a network of small business development centers
28 throughout the State.

29 (3) Assess the fiscal impact of proposed rules upon
30 small business and work with agencies in developing flexible
31 regulations through a regulatory review program.

1 (4) Provide detailed and comprehensive assistance to
 2 businesses interested in obtaining federal or State
 3 government contracts through a network of local procurement
 4 centers. The Department shall make a special and continuing
 5 effort to assist minority and female owned businesses,
 6 including but not limited to the designation of special
 7 minority and female business advocates, and shall make
 8 additional efforts to assist those located in labor surplus
 9 areas. The Department shall, through its network of local
 10 procurement centers, make every effort to provide
 11 opportunities for small businesses to participate in the
 12 procurement process. The Department shall utilize one or
 13 more of the following techniques. These techniques are to be
 14 in addition to any other procurement requirements imposed by
 15 Public Act 83-1341 or by any other Act.

16 (A) Advance notice by the Department or other
 17 appropriate State entity of possible procurement
 18 opportunities should be made available to interested
 19 small businesses.

20 (B) Publication of procurement opportunities in
 21 publications likely to be obtained by small businesses.

22 (C) Direct notification, whenever the Department
 23 deems it feasible, of interested small businesses.

24 (D) Conduct of public hearings and training
 25 sessions, when possible, regarding State and federal
 26 government procurement policies.

27 The Department of Central Management Services shall
 28 cooperate with the Department in providing information on the
 29 method and procedure by which a small business becomes
 30 involved in the State or federal government procurement
 31 process.

32 (5) (Blank). ~~Study the total number of registrations,~~
 33 ~~licenses, and reports that must be filed in order to do~~
 34 ~~business in this State, seek input from the directors of all~~

1 regulatory---agencies,--and--submit--a--report--on--how--this
2 paperwork-might-be-reduced-to-the-Governor--and--the--General
3 Assembly-no-later-than-January-1,--1985.

4 (Source: P.A. 91-239, eff. 1-1-00.)

5 (20 ILCS 605/605-340 rep.)

6 (20 ILCS 605/605-345 rep.)

7 (20 ILCS 605/605-360 rep.)

8 (20 ILCS 605/605-505 rep.)

9 (20 ILCS 605/605-815 rep.)

10 Section 10. The Department of Commerce and Community
11 Affairs Law of the Civil Administrative Code of Illinois is
12 amended by repealing Sections 605-340, 605-345, 605-360,
13 605-505, and 605-815.

14 (20 ILCS 655/12-1 rep.)

15 (20 ILCS 655/12-2 rep.)

16 (20 ILCS 655/12-3 rep.)

17 (20 ILCS 655/12-4 rep.)

18 (20 ILCS 655/12-5 rep.)

19 (20 ILCS 655/12-6 rep.)

20 (20 ILCS 655/12-7 rep.)

21 (20 ILCS 655/12-8 rep.)

22 (20 ILCS 655/12-9 rep.)

23 Section 13. The Illinois Enterprise Zone Act is amended
24 by repealing Sections 12-1, 12-2, 12-3, 12-4, 12-5, 12-6,
25 12-7, 12-8, and 12-9.

26 Section 15. The Energy Conservation and Coal Development
27 Act is amended by changing Section 3 as follows:

28 (20 ILCS 1105/3) (from Ch. 96 1/2, par. 7403)

29 Sec. 3. Powers and Duties.

30 (a) In addition to its other powers, the Department has

1 the following powers:

2 (1) To administer for the State any energy programs
3 and activities under federal law, regulations or
4 guidelines, and to coordinate such programs and
5 activities with other State agencies, units of local
6 government, and educational institutions.

7 (2) To represent the State in energy matters
8 involving the federal government, other states, units of
9 local government, and regional agencies.

10 (3) To prepare energy contingency plans for
11 consideration by the Governor and the General Assembly.
12 Such plans shall include procedures for determining when
13 a foreseeable danger exists of energy shortages,
14 including shortages of petroleum, coal, nuclear power,
15 natural gas, and other forms of energy, and shall specify
16 the actions to be taken to minimize hardship and maintain
17 the general welfare during such energy shortages.

18 (4) To cooperate with State colleges and
19 universities and their governing boards in energy
20 programs and activities.

21 (5) (Blank).

22 (6) To accept, receive, expend, and administer,
23 including by contracts and grants to other State
24 agencies, any energy-related gifts, grants, cooperative
25 agreement funds, and other funds made available to the
26 Department by the federal government and other public and
27 private sources.

28 (7) To investigate practical problems, seek and
29 utilize financial assistance, implement studies and
30 conduct research relating to the production, distribution
31 and use of alcohol fuels.

32 (8) To serve as a clearinghouse for information on
33 alcohol production technology; provide assistance,
34 information and data relating to the production and use

1 of alcohol; develop informational packets and brochures,
2 and hold public seminars to encourage the development and
3 utilization of the best available technology.

4 (9) To coordinate with other State agencies in
5 order to promote the maximum flow of information and to
6 avoid unnecessary overlapping of alcohol fuel programs.
7 In order to effectuate this goal, the Director of the
8 Department or his representative shall consult with the
9 Directors, or their representatives, of the Departments
10 of Agriculture, Central Management Services,
11 Transportation, and Revenue, the Office of the State Fire
12 Marshal, and the Environmental Protection Agency.

13 (10) To operate, within the Department, an Office
14 of Coal Development and Marketing for the promotion and
15 marketing of Illinois coal both domestically and
16 internationally. The Department may use monies
17 appropriated for this purpose for necessary
18 administrative expenses.

19 The Office of Coal Development and Marketing shall
20 develop and implement an initiative to assist the coal
21 industry in Illinois to increase its share of the
22 international coal market.

23 (11) To assist the Department of Central Management
24 Services in establishing and maintaining a system to
25 analyze and report energy consumption of facilities
26 leased by the Department of Central Management Services.

27 (12) To consult with the Departments of Natural
28 Resources and Transportation and the Illinois
29 Environmental Protection Agency for the purpose of
30 developing methods and standards that encourage the
31 utilization of coal combustion by-products as value added
32 products in productive and benign applications.

33 (13) (Blank). ~~To--provide-technical-assistance-and~~
34 ~~information-to-sellers-and-distributors--of--storage--hot~~

1 water--heaters--doing--business--in--Illinois,--pursuant--to
2 Section--1--of--the--Hot--Water--Heater--Efficiency--Act.

3 (b) (Blank).

4 (c) (Blank).

5 (d) The Department shall develop a package of
6 educational materials regarding the necessity of waste
7 reduction and recycling to reduce dependence on landfills and
8 to maintain environmental quality. The materials developed
9 shall be suitable for instructional use in grades 3, 4 and 5.
10 The Department shall distribute such instructional material
11 to all public elementary and unit school districts no later
12 than November 1, of each year.

13 (e) (Blank). The--Department--shall--study--the--feasibility
14 of--requiring--that--wood--and--sawdust--from--construction--waste,
15 demolition--projects,
16 sawmills,
17 or--other--projects--or
18 industries--where--wood--is--used--in--a--large--amount--be--shredded
19 and--composted,
20 and--that--such--wood--be--prohibited--from--being
21 disposed--of--in--a--landfill.--The--Department--shall--report--the
22 results--of--this--study--to--the--General--Assembly--by--January--1,
23 1991.

24 (f) (Blank).

25 (g) (Blank). The--Department--shall--develop--a--program
26 designated--to--encourage--the--recycling--of--outdated--telephone
27 directories--and--to--encourage--the--printing--of--new--directories
28 on--recycled--paper.--The--Department--shall--work--in--conjunction
29 with--printers--and--distributors--of--telephone--directories
30 distributed--in--the--State--to--provide--them--with--any--technical
31 assistance--available--in--their--efforts--to--procure--appropriate
32 recycled--paper.--The--Department--shall--also--encourage
33 directory--distributors--to--pick--up--outdated--directories--as
34 they--distribute--new--ones,
and--shall--assist--any--distributor
who--is--willing--to--do--so--in--finding--a--recycler--willing--to
purchase--the--old--directories--and--in--publicizing--and--promoting
with--citizens--of--the--area--the--distributor's--collection

1 ~~efforts-and-schedules.~~

2 (h) The Department shall assist, cooperate with and
3 provide necessary staff and resources for the Interagency
4 Energy Conservation Committee, which shall be chaired by the
5 Director of the Department.

6 (i) The Department shall operate or manage within or
7 outside of the Department a corn to ethanol research facility
8 for the purpose of reducing the costs of producing ethanol
9 through the development and commercialization of new
10 production technologies, equipment, processes, feedstocks,
11 and new value added co-products and by-products. This work
12 shall be conducted under the review and guidance of the
13 Illinois Ethanol Research Advisory Board chaired by the
14 Director of the Department. The ethanol production research
15 shall be conducted at the Corn to Ethanol Research Pilot
16 Plant in cooperation with universities, industry, other State
17 agencies, and the federal government.

18 (Source: P.A. 89-93, eff. 7-6-95; 89-445, eff. 2-7-96;
19 90-304, eff. 8-1-97.)

20 Section 20. The Comprehensive Solar Energy Act of 1977
21 is amended by changing Section 1.2 as follows:

22 (30 ILCS 725/1.2) (from Ch. 96 1/2, par. 7303)

23 Sec. 1.2. Definitions. As used in this Act:

24 (a) "Solar Energy" means radiant energy received from
25 the sun at wave lengths suitable for heat transfer,
26 photosynthetic use, or photovoltaic use.

27 (b) "Solar collector" means

28 (1) An assembly, structure, or design, including
29 passive elements, used for gathering, concentrating, or
30 absorbing direct or indirect solar energy, specially
31 designed for holding a substantial amount of useful
32 thermal energy and to transfer that energy to a gas,

1 solid, or liquid or to use that energy directly; or

2 (2) A mechanism that absorbs solar energy and
3 converts it into electricity; or

4 (3) A mechanism or process used for gathering solar
5 energy through wind or thermal gradients; or

6 (4) A component used to transfer thermal energy to
7 a gas, solid, or liquid, or to convert it into
8 electricity.

9 (c) "Solar storage mechanism" means equipment or
10 elements (such as piping and transfer mechanisms,
11 containers, heat exchangers, or controls thereof, and gases,
12 solids, liquids, or combinations thereof) that are utilized
13 for storing solar energy, gathered by a solar collector, for
14 subsequent use.

15 (d) "Solar energy system" means

16 (1) (a) A complete assembly, structure, or design
17 of a solar collector, or a solar storage mechanism, which
18 uses solar energy for generating electricity or for
19 heating or cooling gases, solids, liquids, or other
20 materials;

21 (b) The design, materials, or elements of a system
22 and its maintenance, operation, and labor components, and
23 the necessary components, if any, of supplemental
24 conventional energy systems designed or constructed to
25 interface with a solar energy system; and

26 (c) Any legal, financial, or institutional orders,
27 certificates, or mechanisms, including easements, leases,
28 and agreements, required to ensure continued access to
29 solar energy, its source, or its use in a solar energy
30 system, and including monitoring and educational elements
31 of a demonstration project.

32 (2) "Solar energy system" does not include

33 (a) Distribution equipment that is equally
34 usable in a conventional energy system except for

1 such components of such equipment as are necessary
2 for meeting the requirements of efficient solar
3 energy utilization; and

4 (b) Components of a solar energy system that
5 serve structural, insulating, protective, shading,
6 aesthetic, or other non-solar energy utilization
7 purposes, as defined in the regulations of the
8 Department; and

9 (c) Any facilities of a public utility used to
10 transmit or distribute gas or electricity.

11 (e) "Solar Skyspace" means

12 (1) The maximum three dimensional space extending
13 from a solar energy collector to all positions of the sun
14 necessary for efficient use of the collector.

15 (2) Where a solar energy system is used for heating
16 purposes only, "solar skyspace" means the maximum three
17 dimensional space extending from a solar energy collector
18 to all positions of the sun between 9 a.m. and 3 p.m.
19 Local Apparent Time from September 22 through March 22 of
20 each year.

21 (3) Where a solar energy system is used for cooling
22 purposes only, "solar skyspace" means the maximum three
23 dimensional space extending from a solar energy collector
24 to all positions of the sun between 8 a.m. and 4 p.m.
25 Local Apparent Time from March 23 through September 21.

26 (f) (Blank). "Solar-skyspace-easement" means

27 ~~{1}--a-right, whether or not stated in the form of a~~
28 ~~restriction, easement, covenant, or condition, in any~~
29 ~~deed, will, or other instrument executed by or on behalf~~
30 ~~of any owner of land or solar skyspace or in any order of~~
31 ~~taking, appropriate to protect the solar skyspace of a~~
32 ~~solar collector at a particularly described location to~~
33 ~~forbid or limit any or all of the following where~~
34 ~~detrimental to access to solar energy.~~

1 (a) structures on or above ground;

2 (b) vegetation on or above the ground; or

3 (c) other activity;

4 (2) and which shall specifically describe a solar
5 skyspace in three-dimensional terms in which the
6 activity, structures, or vegetation are forbidden or
7 limited or in which such an easement shall set
8 performance criteria for adequate collection of solar
9 energy at a particular location.

10 (g) (Blank). "Conventional Energy System" shall mean an
11 energy system utilizing fossil fuel, nuclear or hydroelectric
12 energy and the components of such system, including
13 transmission lines, burners, furnaces, tanks, boilers,
14 related controls, distribution systems, room or area units
15 and other components.

16 (h) (Blank). "Supplemental Conventional Energy System"
17 shall mean a conventional energy system utilized for
18 providing energy in conjunction with a solar energy system
19 that provides not less than ten percent of the energy for the
20 particular end use. "Supplemental Conventional Energy System"
21 does not include any facilities of a public utility used to
22 produce, transmit, distribute or store gas or electricity.

23 (i) (Blank). "Joint Solar Energy System" shall mean a
24 solar energy system that supplies energy for structures or
25 processes on more than one lot or in more than one
26 condominium unit or leasehold, but not to the general public
27 and involving at least two owners or users.

28 (j) (Blank). "Unit of Local Government" shall mean
29 county, municipality, township, special districts, including
30 school districts, and units designated as units of local
31 government by law, which exercise limited governmental
32 powers.

33 (k) "Department" means the Illinois Department of
34 Commerce and Community Affairs or its successor agency.

1 (1) (Blank). "Public-Energy-Supplier"-shall-mean
 2 (1)--A--public--utility--as--defined---in---an---Act
 3 concerning--Public--Utilities,--approved--June--29,--1921,--as
 4 amended;--or

5 (2)--A--public-utility-that-is-owned-or--operated--by
 6 any--political--subdivision--or--municipal-corporation-of
 7 this-State,--or-owned-by--such--political--subdivision--or
 8 municipal--corporation-and-operated-by-any-of-its-lessees
 9 or-operating-agents;--or

10 (3)--An-electric-cooperative-as-defined--in--Section
 11 10.19--of--An--Act--concerning-Public-Utilities,--approved
 12 June-29,--1921,--as-amended.

13 (m) (Blank). "Energy-Use-Sites"-shall-mean--sites--where
 14 energy---is--or--may--be--used--or--consumed--for--generating
 15 electricity-or-for-heating-or-cooling-gases,--solids,--liquids,
 16 or-other-materials-and-where-solar-energy-may--be--used--cost
 17 effectively,--as-defined-in-the-regulations-of-the-Department,
 18 consistent-with-the-purposes-of-this-Act.

19 (Source: P.A. 89-445, eff. 2-7-96.)

- 20 (30 ILCS 725/2.1 rep.)
- 21 (30 ILCS 725/2.2 rep.)
- 22 (30 ILCS 725/2.3 rep.)
- 23 (30 ILCS 725/3.1 rep.)
- 24 (30 ILCS 725/4.1 rep.)
- 25 (30 ILCS 725/5.1 rep.)
- 26 (30 ILCS 725/7.1 rep.)
- 27 (30 ILCS 725/7.2 rep.)
- 28 (30 ILCS 725/7.3 rep.)
- 29 (30 ILCS 725/7.4 rep.)
- 30 (30 ILCS 725/8.1 rep.)
- 31 (30 ILCS 725/8.2 rep.)

32 Section 25. The Comprehensive Solar Energy Act of 1977 is
 33 amended by repealing Sections 2.1, 2.2, 2.3, 3.1, 4.1, 5.1,

1 7.1, 7.2, 7.3, 7.4, 8.1, and 8.2.

2 (110 ILCS 205/9.25 rep.)

3 Section 30. The Board of Higher Education Act is amended
4 by repealing Section 9.25.

5 (315 ILCS 5/4 rep.)

6 Section 35. The Blighted Areas Redevelopment Act of 1947
7 is amended by repealing Section 4.

8 (315 ILCS 15/Act rep.)

9 Section 40. The Illinois Community Development Finance
10 Corporation Act is repealed.

11 Section 45. The Environmental Protection Act is amended
12 by changing Section 22.23 as follows:

13 (415 ILCS 5/22.23) (from Ch. 111 1/2, par. 1022.23)
14 Sec. 22.23. Batteries.

15 (a) Beginning September 1, 1990, any person selling
16 lead-acid batteries at retail or offering lead-acid batteries
17 for retail sale in this State shall:

18 (1) accept for recycling used lead-acid batteries
19 from customers, at the point of transfer, in a quantity
20 equal to the number of new batteries purchased; and

21 (2) post in a conspicuous place a written notice at
22 least 8.5 by 11 inches in size that includes the
23 universal recycling symbol and the following statements:
24 "DO NOT put motor vehicle batteries in the trash."
25 "Recycle your used batteries."; and "State law requires
26 us to accept motor vehicle batteries for recycling, in
27 exchange for new batteries purchased."

28 (b) Any person selling lead-acid batteries at retail in
29 this State may either charge a recycling fee on each new

1 lead-acid battery sold for which the customer does not return
2 a used battery to the retailer, or provide a recycling credit
3 to each customer who returns a used battery for recycling at
4 the time of purchasing a new one.

5 (c) Beginning September 1, 1990, no lead-acid battery
6 retailer may dispose of a used lead-acid battery except by
7 delivering it (1) to a battery wholesaler or its agent, (2)
8 to a battery manufacturer, (3) to a collection or recycling
9 facility, or (4) to a secondary lead smelter permitted by
10 either a state or federal environmental agency.

11 (d) Any person selling lead-acid batteries at wholesale
12 or offering lead-acid batteries for sale at wholesale shall
13 accept for recycling used lead-acid batteries from customers,
14 at the point of transfer, in a quantity equal to the number
15 of new batteries purchased. Such used batteries shall be
16 disposed of as provided in subsection (c).

17 (e) A person who accepts used lead-acid batteries for
18 recycling pursuant to subsection (a) or (d) shall not allow
19 such batteries to accumulate for periods of more than 90
20 days.

21 (f) Beginning September 1, 1990, no person may knowingly
22 cause or allow:

23 (1) the placing of a lead-acid battery into any
24 container intended for collection and disposal at a
25 municipal waste sanitary landfill; or

26 (2) the disposal of any lead-acid battery in any
27 municipal waste sanitary landfill or incinerator.

28 (g) (Blank). ~~The--Department--of--Commerece--and--Community~~
29 ~~Affairs--shall--identify--and--assist--in--developing--alternative~~
30 ~~processing--and--recycling--options--for--used--batteries.~~

31 (h) For the purpose of this Section:
32 "Lead-acid battery" means a battery containing lead and
33 sulfuric acid that has a nominal voltage of at least 6 volts
34 and is intended for use in motor vehicles.

1 "Motor vehicle" includes automobiles, vans, trucks,
2 tractors, motorcycles and motorboats.

3 (i) (Blank). The Department shall study the problems
4 associated with household batteries that are processed or
5 disposed of as part of mixed solid waste, and shall develop
6 and implement a pilot project to collect and recycle used
7 household batteries. The Department shall report its
8 findings to the Governor and the General Assembly, together
9 with any recommendations for legislation, by November 1,
10 1991.

11 (j) Knowing violation of this Section shall be a petty
12 offense punishable by a fine of \$100.

13 (Source: P.A. 89-445, eff. 2-7-96.)

14 (415 ILCS 20/7.1 rep.)

15 Section 50. The Illinois Solid Waste Management Act is
16 amended by repealing Section 7.1.

17 (815 ILCS 355/Act rep.)

18 Section 55. The Hot Water Heater Efficiency Act is
19 repealed.

20 (815 ILCS 440/5 rep.)

21 (815 ILCS 440/6 rep.)

22 (815 ILCS 440/8 rep.)

23 Section 60. The Waste Oil Recovery Act is amended by
24 repealing Sections 5, 6, and 8.

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.

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- 20 ILCS 605/605-340 rep.
- 20 ILCS 605/605-345 rep.
- 20 ILCS 605/605-360 rep.
- 20 ILCS 605/605-505 rep.
- 20 ILCS 605/605-815 rep.
- 20 ILCS 655/12-1 rep.
- 20 ILCS 655/12-2 rep.
- 20 ILCS 655/12-3 rep.
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- 20 ILCS 655/12-7 rep.
- 20 ILCS 655/12-8 rep.
- 20 ILCS 655/12-9 rep.
- 20 ILCS 1105/3 from Ch. 96 1/2, par. 7403
- 30 ILCS 725/1.2 from Ch. 96 1/2, par. 7303
- 30 ILCS 725/2.1 rep.
- 30 ILCS 725/2.2 rep.
- 30 ILCS 725/2.3 rep.
- 30 ILCS 725/3.1 rep.
- 30 ILCS 725/4.1 rep.
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- 110 ILCS 205/9.25 rep.
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- 315 ILCS 15/Act rep.

- 1 415 ILCS 5/21 rep.
- 2 415 ILCS 20/7.1 rep.
- 3 815 ILCS 355/Act rep.
- 4 815 ILCS 440/5 rep.
- 5 815 ILCS 440/6 rep.
- 6 815 ILCS 440/8 rep.