

AN ACT concerning regulation.

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

Section 5. The Public Utilities Act is amended by changing Section 8-402.2 as follows:

(220 ILCS 5/8-402.2)

Sec. 8-402.2. Public Schools Carbon-Free Assessment programs.

(a) Within one year after the effective date of this amendatory Act of the 102nd General Assembly, each electric utility serving over 500,000 retail customers in this State shall implement a Public Schools Carbon-Free Assessment program.

(b) Each utility's Public Schools Carbon-Free Assessment program shall include the following requirements:

(1) Each plan shall be designed to offer within the utility's service territory to assist public schools, as defined by Section 1-3 of the School Code, to increase the efficiency of their energy usage, to reduce the carbon emissions associated with their energy usage, and to move toward a goal of public schools being carbon-free in their energy usage by 2030. The program shall include a target of completing Public Schools Carbon-Free Assessment for

all public schools in the utility's service territory by December 31, 2029.

(2) The Public Schools Carbon-Free Assessment shall be a generally standardized assessment, but may incorporate flexibility to reflect the circumstances of individual public schools and public school districts.

(3) The Public Schools Carbon-Free Assessment shall include, but not be limited to, comprehensive analyses of the following subjects:

(A) The top energy efficiency savings opportunities for the public school, by energy saved;

(B) The total achievable solar energy potential on or nearby a public school's premises and able to provide power to a school;

(C) The infrastructure required to support electrification of the facility's space heating and water heating needs;

(D) The infrastructure requirements to support electrification of a school's transportation needs; and

(E) The investments required to achieve a WELL Certification or similar certification as determined through methods developed and updated by the International WELL Building Institute or similar or successor organizations.

(4) The Public Schools Carbon-Free Assessment also

shall include, but not be limited to, mechanical insulation evaluation inspection and inspection of the building envelope(s).

(5) With respect to those public school construction projects for public schools within the service territory of a utility serving over 500,000 retail customers in this State and for which a public school district applies for a grant under Section 5-40 of the School Construction Law on or after June 1, 2023, the district must submit a copy of the applicable Public Schools Carbon-Free Assessment report, or, if no such Public Schools Carbon-Free Assessment has been performed, request the applicable utility to perform such a Public Schools Carbon-Free Assessment and submit a copy of the Public Schools Carbon-Free Assessment report promptly when it becomes available. The Public Schools Carbon-Free Assessment report shall include, but not limited to, an energy audit of both the building envelope and the building's mechanical insulation system. It shall also include an inspection of both the building envelope and the mechanical insulation system. The district must demonstrate how the construction project is designed and managed to achieve the goals that all public elementary and secondary school facilities in the State are able to be powered by clean energy by 2030, and for such facilities to achieve carbon-free energy sources for space

heat, water heat, and transportation by 2050.

(6) The results of each Public Schools Carbon-Free Assessment shall be memorialized by the utility or by a third party acting on behalf of the utility in a non-confidential report form that includes recommendations and redacts all confidential information. For purposes of this Section, "confidential information" means information or facts expected and intended to be exempt from disclosure under the Freedom of Information Act. "Confidential information" does not include program offerings, solar opportunities, health and safety certifications, energy efficiency recommendations, information about transportation and other funding offerings. The non-confidential form ~~and~~ shall be provided to the applicable public school by the utility or the third party acting on behalf of the utility. Each utility shall be required to retain a copy of each Public Schools Carbon-Free Assessment report and to provide copies of each non-confidential report to the Illinois Power Agency and the Illinois Capital Development Board within 3 months after ~~of~~ its completion. The Illinois Power Agency shall promptly make the results of each non-confidential report available for public inspection on its website.

(7) The Public Schools Carbon-Free Assessment shall be conducted in coordination with each utility's energy efficiency and demand-response plans under Sections 8-103,

8-103A, and 8-103B of this Act, to the extent applicable. Nothing in this Section is intended to modify or require modification of those plans. However, the utility may request a modification of a plan approved by the Commission, and the Commission may approve the requested modification, if the modification is consistent with the provisions of this Section and Section 8-103B of this Act.

(8) If there are no other providers of assessments that are substantively the same as those being performed by utilities pursuant to this Section by 2024, a utility that has a Public Schools Carbon-Free Assessment program may offer assessments to public schools that are not served by a utility subject to this Section at the utility's cost.

(9) The Public Schools Carbon-Free Assessment shall be offered to and performed for public schools in the utility's service territory on a complimentary basis by each utility, with no Assessment fee charged to the public schools for the Assessments. Nothing in this Section is intended to prohibit the utility from recovering through rates approved by the Commission the utility's prudent and reasonable costs of complying with this Section.

(10) Utilities shall make efforts to prioritize the completion of Public Schools Carbon-Free Assessments for the following school districts by December 31, 2022: East St. Louis School District 189, Harvey School District 152,

Thornton Township High School District 205. Utilities shall also prioritize the completion of Public Schools Carbon-Free Assessments for schools located within environmental justice communities or schools that are categorized as a Tier 1 or Tier 2 school based on the latest annual evidence-based funding distribution process by the State Board of Education.

(Source: P.A. 102-662, eff. 9-15-21; 102-1123, eff. 1-27-23.)