



Sen. David Koehler

Filed: 3/20/2015

09900SB1485sam001

LRB099 06216 MGM 33102 a

1 AMENDMENT TO SENATE BILL 1485

2 AMENDMENT NO. _____. Amend Senate Bill 1485 as follows:

3 on page 90, immediately below line 13 by inserting the
4 following:

5 "Section 8. The State Finance Act is amended by adding
6 Section 5.866 as follows:

7 (30 ILCS 105/5.866 new)

8 Sec. 5.866. Fossil Emission Reduction Program Fund."; and

9 by replacing line 24 on page 261 through line 6 on page 267
10 with the following:

11 "(b-7) The Fossil Emission Reduction Program.

12 (1) Notwithstanding the provisions of Section 16-111
13 of the Public Utilities Act, each public utility, electric

1 cooperative, as defined in Section 3.4 of the Electric
2 Supplier Act, and municipal utility, as referenced in
3 Section 3-105 of the Public Utilities Act, that is engaged
4 in the delivery of electricity or the distribution of
5 natural gas within the State of Illinois shall, upon the
6 effective date of this amendatory Act of the 99th General
7 Assembly through December 31, 2021, assess each of its
8 customer accounts a monthly Fossil Emission Reduction
9 Program Charge, calculated to limit the total amount raised
10 from all customers to \$75 million per year. The delivering
11 public utility, municipal electric or gas utility, or
12 electric or gas cooperative for a self-assessing purchaser
13 remains subject to the collection of the fee imposed by
14 this Section.

15 (2) The Fossil Emission Reduction Program Charge
16 assessed by electric and gas public utilities shall be
17 considered a charge for public utility service.

18 (3) Moneys collected under this Section shall be
19 deposited in the Fossil Emission Reduction Program by the
20 Department of Revenue for the exclusive purposes of the
21 awarding of competitively bid grants to operators of
22 coal-fueled electric generating plants in Illinois to
23 fund, in part, projects at their plants. Eligible projects
24 include: coal-to-natural gas conversions of Illinois coal
25 plants; heat rate or other efficiency improvements at
26 Illinois coal plants; projects that reduce emissions from

1 criteria pollutants and carbon dioxide at Illinois coal
2 plants; use of biomass at Illinois coal plants; a program
3 to recycle or properly dispose of coal ash; or purchase
4 CO2-offsets owned by operators of coal-fueled generating
5 plants in Illinois.

6 (4) The Agency shall write rules to administer a
7 competitive grant program for up to 75% of the project
8 costs for eligible projects as defined in paragraph (3).

9 (5) No individual project may receive more than one
10 grant from the Fossil Emission Reduction Program. Grant
11 duration may be 1 to 5 years, based on estimated time to
12 complete a project, however, grant amounts, once awarded,
13 may not be increased in amount or duration.

14 (6) If applications for more funds than are available
15 are made to the Fossil Emission Reduction Program in a
16 calendar year, the Agency shall award grants to projects
17 based on the maximum amount of carbon dioxide emission
18 reduction on a per dollar awarded basis.

19 (7) If a successful bidder fails to complete the
20 project by the specified date or the completed project
21 fails to meet performance metrics specified in the grant
22 contract, the grantee must refund all or part of the grant
23 money based on criteria stated in the contract.

24 (8) Upon completion of a coal to gas conversion using
25 funds from the Fossil Emission Reduction Fund, the Agency
26 will modify the air permit to prohibit the use of coal at

1 that facility in the future.

2 (9) By the 20th day of the month following the month in
3 which the charges imposed by this Section were collected,
4 each utility and alternative retail electric supplier
5 collecting charges under this Section shall remit to the
6 Department of Revenue for deposit in the Fossil Emission
7 Reduction Fund moneys received as payment of the charge
8 provided for in this Section on a return prescribed and
9 furnished by the Department of Revenue showing such
10 information as the Department of Revenue may reasonably
11 require.

12 (10) The charges imposed by this Section shall only
13 apply to customers of municipal electric or gas utilities
14 and electric or gas cooperatives if the municipal electric
15 or gas utility or electric or gas cooperative makes an
16 affirmative decision to impose the charge. If a municipal
17 electric or gas utility or an electric or gas cooperative
18 makes an affirmative decision to impose the charge provided
19 by this Section, the municipal electric or gas utility or
20 electric or gas cooperative shall inform the Department of
21 Revenue in writing of that decision when it begins to
22 impose the charge.

23 (11) The Department of Revenue may establish such rules
24 as it deems necessary to implement this Section."