

AN ACT concerning regulation.

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

Section 5. The Private Sewage Disposal Licensing Act is amended by changing Section 8 as follows:

(225 ILCS 225/8) (from Ch. 111 1/2, par. 116.308)

Sec. 8. (a) In addition to promulgating and publishing the private sewage disposal code, the Department has the following powers and duties:

(1) Make such inspections as are necessary to determine satisfactory compliance with this Act and the private sewage disposal code.

(2) Cause investigations to be made when a violation of any provisions of this Act or the private sewage disposal code is reported to the Department.

(3) Subject to constitutional limitations, by its representatives after identification, enter at reasonable times upon private or public property for the purpose of inspecting and investigating conditions relating to the administration and enforcement of this Act and the private sewage disposal code.

(4) Institute or cause to be instituted legal proceedings in the circuit court by the State's Attorney of

the county where such non-compliance occurred or by the Attorney General of the State of Illinois in cases of non-compliance with the provisions of this Act and the private sewage disposal code.

(5) Evaluate all Experimental Use Permits in existence on the effective date of this amendatory Act of the 95th General Assembly, in accordance with the established conditions of approval for each permit. After the date of approval, the Department shall not issue any new Experimental Use Permits, but may instead issue site specific approval for performance-based systems in accordance with this Section ~~Authorize the trial or experimental use of new innovative systems for private sewage disposal, upon such conditions as the Department may set.~~

(6) Adopt minimum performance standards for private sewage disposal system contractors.

(7) Issue an annual license to every applicant who complies with the requirements of this Act and the private sewage disposal code and who pays the required annual license fee.

(8) Collect an annual license fee in an amount determined by the Department from each contractor and any examination and reinstatement fees.

(9) Prescribe rules of procedure for hearings following denial, suspension or revocation of licenses as

provided in this Act.

(10) The Department may review alternative technology and operational data from the appropriate state agency of another state, from another government entity, or from an independent testing organization to determine whether approval of components or private sewage disposal systems within the State is appropriate. The request for approval shall be made on forms approved by the Department.

(b) The Director shall authorize the use of appropriate new innovative wastewater treatment systems to best protect public health, the environment, and the natural resources of the State.

(Source: P.A. 85-1261.)

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