



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1230

Introduced 1/28/2025, by Rep. Sonya M. Harper

SYNOPSIS AS INTRODUCED:

415 ILCS 5/9.21 new
30 ILCS 105/5.1030 new

Amends the Environmental Protection Act. Creates the Air Quality Enforcement and Mitigation Fund. Makes a conforming change to the State Finance Act. Provides that the Environmental Protection Agency shall expend 30% of moneys from the Fund for staffing and other functions of the Agency that benefit environmental protection communities and are related to one or more specified purposes. Directs the Agency to establish an Air Quality Community Impact Grant Program to provide grants to nonprofit entities, local health departments, local environmental departments, and school districts to carry out the purposes of the Act. Requires 70% of moneys from the Fund to be expended for grants under the Program for specified purposes in communities affected by violations of the Act. Requires the Agency to adopt rules to implement the Program. Provides that the Agency, in collaboration with environmental interest groups, shall develop a process to identify environmental protection communities. Requires the Agency to post on its website and make publicly available an annual report on the purposes for which grants were awarded under the Program. Contains other provisions. Effective immediately.

LRB104 05860 BDA 15891 b

1 AN ACT concerning safety.

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

4 Section 5. The Environmental Protection Act is amended by
5 adding Section 9.21 as follows:

6 (415 ILCS 5/9.21 new)

7 Sec. 9.21. Air Quality Enforcement and Mitigation Fund;
8 Program.

9 (a) In this Section:

10 "Environmental protection community" means a geographic
11 area that the Agency, using tools such as the United States
12 Environmental Protection Agency's EJSCREEN, has identified as
13 a community facing a disproportionate environmental burden,
14 using indicators such as sensitive populations, socioeconomic
15 factors, and environmental exposures and effects.

16 "Fund" means the Air Quality Enforcement and Mitigation
17 Fund created under subsection (b).

18 "Program" means the Air Quality Community Impact Grant
19 Program created under subsection (d).

20 (b) The Air Quality Enforcement and Mitigation Fund is
21 created as a special fund in the State treasury. The State
22 Treasurer may receive moneys or other assets from any source
23 for deposit into the Fund. The State Treasurer shall direct

1 the investment of the Fund. The State Treasurer shall credit
2 to the Fund interest and earnings from Fund investments.
3 Notwithstanding any other law to the contrary, the Fund is not
4 subject to sweeps, administrative charge-backs, or any other
5 fiscal or budgetary maneuver that would in any way transfer
6 any amounts from the Fund into any other fund of the State.

7 (c) The Agency shall expend moneys from the Fund, subject
8 to appropriation, as follows:

9 (1) 30% of the moneys shall be expended for staffing
10 and other functions of the Agency that benefit
11 environmental protection communities and are related to
12 one or more of the following:

13 (A) mitigating air pollution through vegetative
14 buffering, optional residential property buyouts, air
15 filter installation in homes and schools, and diesel
16 engine retrofit or replacement programs;

17 (B) increasing air monitoring;

18 (C) improving compliance by persons with a history
19 of violating the Act, rules adopted under the Act, or
20 permits issued under the Act; and

21 (D) offering education and training programs for
22 environmental regulators, prosecuting attorneys, or
23 both; and

24 (2) 70% of the moneys shall be expended for grants,
25 through the Air Quality Community Impact Grant Program
26 established under subsection (d), to nonprofit entities,

1 local health departments, local environmental departments,
2 and school districts located within communities in which a
3 violation of the Act has occurred or within communities
4 deemed by the Agency to be effected by a violation of the
5 Act, including, but not limited to, environmental
6 protection communities, for the purposes described in
7 subparagraphs (A) and (B) of paragraph (1) and any one or
8 more of the following purposes:

9 (A) conducting health impact assessments; and

10 (B) offering education and training programs for
11 community residents and local environmental regulators
12 in order to increase the effectiveness of enforcement
13 programs in deterring violations of this Act and rules
14 adopted or orders issued under this Act.

15 (d) The Agency shall establish an Air Quality Community
16 Impact Grant Program. The Program shall provide grants to
17 nonprofit entities, local health departments, local
18 environmental departments, and school districts to carry out
19 the purposes described in paragraph (2) of subsection (c).

20 (e) The Agency shall adopt rules to implement this
21 Section. At a minimum, the rules shall describe how grants are
22 to be allocated, the procedures for applying for grants, the
23 criteria for awarding grants, and administrative and fiscal
24 requirements governing the receipt and expenditure of grants.
25 The Agency shall adopt the rules in consultation with an
26 Advisory Committee that shall include, but shall not be

1 limited to, at least one of each of the following persons
2 appointed by the Director of the Agency:

3 (1) a public health expert;

4 (2) a representative of an environmental justice
5 organization;

6 (3) a representative of the Department of Human
7 Services;

8 (4) a representative of a local health department or
9 local environmental department; and

10 (5) two residents of environmental protection
11 communities.

12 (f) The Agency, in collaboration with environmental
13 interest groups, shall, by rule, develop a process to identify
14 environmental protection communities. Within 150 days after
15 the effective date of those rules, the Agency shall use
16 available census block data from the most recent federal
17 decennial census to identify environmental protection
18 communities. The identification process shall include
19 community engagement to obtain information and receive
20 feedback.

21 (g) The Agency shall post on its website and make publicly
22 available an annual report on the purposes for which grants
23 were awarded under paragraph (2) of subsection (c), including
24 the communities affected.

25 Section 10. The State Finance Act is amended by adding

1 Section 5.1030 as follows:

2 (30 ILCS 105/5.1030 new)

3 Sec. 5.1030. The Air Quality Enforcement and Mitigation
4 Fund.

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