



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB4929

by Rep. Daniel Didech

#### SYNOPSIS AS INTRODUCED:

New Act  
30 ILCS 105/5.1038 new

Creates the Privately-Owned Carbon Capture Device Rebate Act. Establishes a rebate program administered by the Environmental Protection Agency for eligible purchasers of privately-owned carbon capture devices that use biological processes, including microalgae photosynthesis, for residential use. Lists eligibility criteria for applicants and devices. Provides rebate amounts and timelines, prioritizing low-income applicants. Requires ownership and residency conditions and sets limits on rebate frequency. Authorizes auditing and reimbursement for noncompliance. Imposes a 5% user fee on device sales to fund rebates. Creates the Privately-Owned Carbon Capture Device Rebate Fund in the State treasury and amends the State Finance Act to add the Fund. Grants rulemaking authority to the Agency and the Department of Revenue. Effective immediately.

LRB104 20253 BDA 33704 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 1. Short title. This Act may be cited as the  
5 Privately-Owned Carbon Capture Device Rebate Act.

6 Section 5. Purpose. The General Assembly declares that it  
7 is the public policy of the State to promote and encourage the  
8 use of privately-owned carbon capture devices as a means to  
9 improve air quality and reduce the risks from global warming  
10 in the State and to meet the requirements of the federal Clean  
11 Air Act. The General Assembly further declares that the State  
12 can play a leadership role in increasing usage of  
13 privately-owned carbon capture devices.

14 Section 10. Definitions. As used in this Act:

15 "Agency" means the Illinois Environmental Protection  
16 Agency.

17 "Eligible applicant" means a person or family whose income  
18 does not exceed 500% of the poverty guidelines updated  
19 periodically in the Federal Register by the U.S. Department of  
20 Health and Human Services under the authority of 42 U.S.C.  
21 9902(2) for the current State fiscal year and who may not be  
22 claimed as a dependent.

1 "Eligible device" means a privately-owned carbon capture  
2 device that meets the requirements of this Act and that has not  
3 already received a rebate under this Act.

4 "Low-income applicant" means a person or family whose  
5 income does not exceed 80% of the regional or county median  
6 income for the current State fiscal year, as established by  
7 the United States Department of Housing and Urban  
8 Development's Illinois Income Limits by metropolitan area and  
9 county.

10 "Privately-owned carbon capture device" means a  
11 commercially-manufactured carbon capture device that  
12 measurably captures carbon using biological processes,  
13 including, but not limited to, microalgae photosynthesis, that  
14 is intended for use on residential property, and that is owned  
15 by the resident or property owner. "Privately-owned carbon  
16 capture device" does not include carbon capture devices that:

- 17 (1) capture carbon using non-biological processes;  
18 (2) are intended for use on commercial property; or  
19 (3) are owned by commercial entities.

20 Section 15. Rulemaking. The Agency shall adopt rules as  
21 necessary to implement and administer this Act. Such rules  
22 shall be consistent with applicable provisions of the Clean  
23 Air Act and any regulations promulgated pursuant thereto. The  
24 Agency shall dedicate sufficient resources to implement and  
25 administer Section 20 of this Act.

1 Section 20. Carbon capture device rebate.

2 (a) Beginning July 1, 2026, and continuing as long as  
3 funds are available, each eligible applicant may apply for a  
4 rebate, in the amounts set forth under this subsection,  
5 following the purchase of an eligible device in the State. The  
6 Agency shall accept applications and issue rebates consistent  
7 with the provisions of this Act and any implementing rules  
8 adopted by the Agency. In no event shall a rebate amount exceed  
9 the purchase price of the eligible device. The amounts of the  
10 carbon capture device rebate are as follows:

11 (1) beginning July 1, 2029, a rebate equal to 50% of  
12 the purchase price, excluding taxes and fees, for eligible  
13 applicants toward the purchase of a new or used eligible  
14 device; low-income applicants are eligible for an  
15 additional 10% rebate; and

16 (2) beginning July 1, 2032, a rebate equal to 40% of  
17 the purchase price, excluding taxes and fees, for eligible  
18 applicants toward the purchase of a new or used eligible  
19 device; low-income applicants are eligible for an  
20 additional 10% rebate.

21 (b) To be eligible to receive a rebate, a purchaser must:

22 (1) reside in Illinois, both at the time the eligible  
23 device was purchased and at the time the rebate is issued;

24 (2) purchase the eligible device in Illinois on or  
25 after July 1, 2026 and be the owner of the device at the

1 time the rebate is issued; rented or leased devices,  
2 devices purchased from an out-of-state retailer, and  
3 devices delivered to or received by the purchaser  
4 out-of-state are not eligible for a rebate under this Act.

5 (3) apply for the rebate within 180 days after the  
6 eligible device purchase date, and provide to the Agency  
7 proof of residence, proof of device ownership, and proof  
8 that the device was purchased in the State, including a  
9 copy of a purchase agreement noting an Illinois seller;  
10 the purchaser must notify the Agency of any changes in  
11 residency or ownership of the device that occur between  
12 application for a rebate and issuance of a rebate;

13 (4) apply for the rebate during an open rebate cycle,  
14 as identified by the Agency; and

15 (5) certify that the purchaser qualifies as an  
16 eligible applicant and a low-income applicant, if  
17 applicable.

18 (c) The Agency shall make available in application  
19 materials methods for purchasers to identify as low-income  
20 applicants. The Agency shall prioritize the review of  
21 qualified applications from low-income applicant purchasers  
22 and award rebates to qualified purchasers accordingly.

23 (d) The purchaser must retain ownership of the eligible  
24 device for a minimum of 12 consecutive months immediately  
25 after the eligible device purchase date. The purchaser must  
26 continue to reside in Illinois during that time frame. Rebate

1 recipients who fail to satisfy any of the above criteria will  
2 be required to reimburse the Agency all or part of the original  
3 rebate amount and shall notify the Agency within 60 days of  
4 failing to satisfy the criteria.

5 (e) Rebates administered under this Section shall be  
6 available for both new and used devices.

7 (f) A rebate administered under this Act may only be  
8 applied for and awarded one time per eligible device. A rebate  
9 may only be applied for and awarded once per purchaser in any  
10 10-year period.

11 (g) For program auditing purposes, the Agency may request  
12 from a rebate recipient additional information and  
13 documentation evidencing eligibility for a rebate issued on or  
14 after July 1, 2029, including copies of income tax returns  
15 that corroborate the certification referenced in paragraph (5)  
16 of subsection (b). If requested by the Agency, a rebate  
17 recipient shall provide the information and documentation  
18 within the timeframe specified in the Agency's request. If the  
19 rebate recipient fails to provide the information and  
20 documentation requested by the Agency by the specified  
21 deadline, or if the information and documentation provided  
22 evidences that the rebate recipient was not eligible for the  
23 rebate or the rebate recipient fails to corroborate the  
24 certification referenced in paragraph (5) of subsection (b),  
25 the rebate recipient may be required to reimburse the Agency  
26 all or part of the original rebate amount, according to rules

1 adopted by the Agency.

2 Section 25. User fees.

3 (a) A user fee equal to 5% of the original purchase price  
4 of each privately-owned carbon capture device sold in Illinois  
5 shall be collected by the retailer at the point of sale.

6 (b) The Department of Revenue shall collect user fees from  
7 the retailer and deposit these fees into the Privately-Owned  
8 Carbon Capture Device Rebate Fund.

9 (c) The Department of Revenue shall adopt rules  
10 implementing and administering this Section.

11 Section 30. Appropriations from the Privately-Owned Carbon  
12 Capture Device Rebate Fund.

13 (a) The Agency shall estimate the amount of user fees  
14 expected to be collected under this Act for each State fiscal  
15 year. User fee funds shall be deposited into and distributed  
16 from the Privately-Owned Carbon Capture Device Rebate Fund in  
17 the following manner:

18 (1) Through fiscal year 2028, amounts may be  
19 appropriated to the Agency from the Privately-Owned Carbon  
20 Capture Device Rebate Fund to pay its costs of  
21 administering the programs authorized by Section 20 of  
22 this Act; amounts may also be appropriated to the  
23 Department of Revenue from the Privately-Owned Carbon  
24 Capture Device Rebate Fund to pay the Department of

1 Revenue's costs of administering the programs authorized  
2 under this Act.

3 (2) In fiscal year 2027 and each fiscal year  
4 thereafter, after appropriation of the amounts authorized  
5 by paragraph (1), the remaining moneys estimated to be  
6 collected during each fiscal year shall be appropriated to  
7 the Agency to fund the program authorized in Section 20.

8 (3) Amounts appropriated to, transferred to, and  
9 deposited into the Privately-Owned Carbon Capture Device  
10 Rebate Fund from the General Revenue Fund or any other  
11 fund shall be distributed from the Privately-Owned Carbon  
12 Capture Device Rebate Fund to fund the program authorized  
13 in Section 20.

14 Section 35. Privately-Owned Carbon Capture Device Rebate  
15 Fund creation. A special fund in the State treasury called the  
16 Privately-Owned Carbon Capture Device Rebate Fund is created,  
17 into which shall be transferred the user fees as provided in  
18 Section 25 and any other revenues, deposits, State  
19 appropriations, contributions, grants, gifts, bequests,  
20 legacies of money and securities, or transfers as provided by  
21 law from, without limitation, governmental entities, private  
22 sources, foundations, trade associations, industry  
23 organizations, and not-for-profit organizations.

24 Section 80. The State Finance Act is amended by adding

1 Section 5.1038 as follows:

2 (30 ILCS 105/5.1038 new)

3 Sec. 5.1038. The Privately-Owned Carbon Capture Device  
4 Rebate Fund.

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