



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB1680

Introduced 2/5/2025, by Sen. Omar Aquino

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2705/2705-204 new  
415 ILCS 5/9.15

Amends the Department of Transportation Law of the Civil Administrative Code of Illinois. Provides that the amendatory Act may be referred to as the Transportation Choices Act. Requires, by January 1, 2027, the Environmental Protection Agency, after consultation with the Department of Transportation and Metropolitan Planning Organizations (MPOs), to establish a schedule of greenhouse gas targets for greenhouse gas emissions from the transportation sector in the State. Requires the Department and MPOs to conduct a greenhouse gas emissions analysis and determine if their applicable planning document will result in meeting their greenhouse gas targets. Requires the Department and MPOs to perform a greenhouse gas emissions analysis prior to including a roadway capacity expansion project in an applicable planning document. Requires, by January 1, 2029 and every 3 years thereafter, the Department to prepare a comprehensive report on statewide transportation greenhouse gas reduction accomplishments and challenges and to make recommendations for any legislative action that would assist the Department and MPOs in meeting their greenhouse gas targets. Requires the Department and MPOs to calculate a climate equity accessibility score prior to including any project that has an anticipated cost of \$30,000,000 or more in an applicable planning document or as a greenhouse gas mitigation measure. Requires the Department and MPOs to provide early and continuous opportunities for public participation in the transportation planning process. Requires, beginning June 30, 2026, the Department and MPOs to establish a social cost of carbon and use the social cost of carbon in their planning documents and planning activities. Establishes the Greenhouse Gas in Transportation Working Group. Provides that the specified requirements of the provisions shall commence with projects included in applicable planning documents filed on or after January 1, 2028. Makes other changes. Amends the Environmental Protection Act. Directs the Environmental Protection Agency to calculate a social cost of carbon and makes other changes.

LRB104 09343 BDA 19401 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. References to Act. This Act may be referred to  
5 as the Transportation Choices Act.

6 Section 5. The Department of Transportation Law of the  
7 Civil Administrative Code of Illinois is amended by adding  
8 Section 2705-204 as follows:

9 (20 ILCS 2705/2705-204 new)

10 Sec. 2705-204. Transportation planning and greenhouse gas  
11 reduction.

12 (a) The General Assembly finds that:

13 (1) Article XI of the Illinois Constitution provides  
14 that the public policy of the State and the duty of each  
15 person is to provide and maintain a healthful environment  
16 for the benefit of this and future generations.

17 (2) The transportation sector is now the largest  
18 source of greenhouse gas emissions in the State.

19 (3) The State has previously set a goal to have an  
20 electric power sector that is free of greenhouse gas  
21 emissions by 2045.

22 (4) Greenhouse gas pollution resulting from the

1       production, distribution, and use of motor vehicle fuels  
2       produces many social costs, including, but not limited to,  
3       adverse public health impacts, increased heat waves,  
4       droughts, water supply shortages, flooding, biodiversity  
5       loss, and forest health issues, such as forest fires.

6       (5) The Illinois State Climatologist is projecting  
7       that, by the end of the 21st Century, average daily  
8       temperatures in the State will increase between 4 and 9  
9       degrees Fahrenheit under a lower emissions scenario and  
10       between 8 and 14 degrees Fahrenheit under a higher  
11       emissions scenario.

12       (6) Climate change of such speed and magnitude will  
13       result in heat stress on animals, plants, and workers;  
14       reduced crop yields from short-term and rapid-onset  
15       drought; increased pestilence; and other challenges that  
16       will adversely affect the State's agriculture sector.

17       (7) Increases in flooding, heat, and other factors  
18       associated with climate change will stress the State's  
19       transportation infrastructure, such as bridges and  
20       roadways in low-lying areas, and will require more  
21       resources to maintain roadways and other transportation  
22       infrastructure.

23       (8) State investment in a clean transportation economy  
24       in the State can expand equitable access to public health,  
25       safety, a cleaner environment, quality jobs, and economic  
26       opportunity.

1           (9) It is the public policy of the State to ensure that  
2           State residents from communities disproportionately  
3           impacted by climate change, communities facing automotive  
4           plant closures, economically disadvantaged communities,  
5           and individuals experiencing barriers to employment have  
6           access to State programs and good jobs and career  
7           opportunities in growing sectors of the State economy.

8           (10) To minimize any adverse environmental and health  
9           impacts of planned transportation projects and to address  
10           inequitable distribution of the burdens of those projects,  
11           it is necessary, appropriate, and in the best interests of  
12           the State and its citizens to require the Department and  
13           MPOs, which are the State's primary transportation  
14           planning entities with responsibility for selecting and  
15           funding transportation projects, to engage in an enhanced  
16           level of planning, modeling, and other analysis, community  
17           engagement, and monitoring with respect to those projects  
18           as required by this Section.

19           (11) Subsection (a) of Section 15 of the Regional  
20           Planning Act provides that the Chicago Metropolitan Agency  
21           for Planning, whose Policy Committee is the MPO for  
22           Northeastern Illinois, shall be responsible for developing  
23           and adopting a funding and implementation strategy for an  
24           integrated land use and transportation planning process.

25           (12) Section 48 of the Regional Planning Act provides  
26           that the Chicago Metropolitan Agency for Planning shall

1 establish an incentive program to enable local governments  
2 and developers to create more affordable workforce housing  
3 options near jobs and transit, create jobs near existing  
4 affordable workforce housing, create transit-oriented  
5 development, integrate transportation and land use  
6 planning, provide a range of viable transportation choices  
7 in addition to the car, encourage compact and mixed-use  
8 development, and support neighborhood revitalization.

9 (13) Paragraph (1) of subsection (a) of Section 5303  
10 of Title 49 of the United States Code (49 U.S.C.  
11 5303(a)(1)) provides, in relevant part, that it is in the  
12 national interest to better connect housing and  
13 employment, while minimizing transportation-related fuel  
14 consumption and air pollution through metropolitan and  
15 statewide transportation planning processes.

16 (14) Subparagraph (A) of paragraph (4) of subsection  
17 (k) of Section 5303 of Title 49 of the United States Code  
18 (49 U.S.C. 5303(k)(4)(A)) provides that MPOs serving  
19 transportation management areas may address the  
20 integration of housing, transportation, and economic  
21 development strategies through a process that provides for  
22 effective integration, based on a cooperatively developed  
23 and implemented strategy, of new and existing  
24 transportation facilities eligible for funding.

25 (15) Subparagraph (C) of paragraph (4) of subsection  
26 (k) of Section 5303 of Title 49 of the United States Code

1       (49 U.S.C. 5303(k)(4)(C)) provides that MPOs serving  
2       transportation management areas may develop a housing  
3       coordination plan that includes projects and strategies  
4       that may be considered in the metropolitan transportation  
5       plan of the MPO to develop regional goals for the  
6       integration of housing, transportation, and economic  
7       development strategies.

8       (16) Land use policies and practices that result in  
9       shorter distances between where people reside and jobs and  
10       other destinations they seek to access and that facilitate  
11       multimodal transportation options for the public are one  
12       of the most effective tools to reduce greenhouse gas  
13       emissions from the transportation sector and provide more  
14       affordable transportation options.

15       (17) Transportation is the second-largest expense  
16       category for most households and the cost of owning,  
17       operating, and maintaining personal vehicles is a  
18       significant burden for many households.

19       (18) Reducing vehicle miles traveled per person  
20       through more efficient land use and transportation systems  
21       will help the State achieve its greenhouse gas reduction  
22       goals and reduce the transportation cost burden on State  
23       households.

24       (19) To the maximum extent practicable, actions taken  
25       to achieve these goals must avoid causing disproportionate  
26       adverse impacts to residents of communities that are or

1 have been disproportionately exposed to pollution  
2 affecting human health and environmental quality.

3 (b) As used in this Section:

4 "Applicable planning document" means an MPO's Regional  
5 Transportation Plan or the Department's Long-Range State  
6 Transportation Plan. "Applicable planning document" includes  
7 amendments to such plans that add capacity expansion projects  
8 or other projects resulting in a net increase in GHG  
9 emissions.

10 "Climate equity accessibility score" means a measurement  
11 of the impact of certain transportation projects on (i) GHG  
12 emissions, (ii) the accessibility of jobs and other  
13 destinations to people residing in the project area, and (iii)  
14 the affordability of transportation.

15 "CO<sub>2</sub>e" means the number of metric tons of carbon dioxide  
16 emissions with the same global warming potential as one metric  
17 ton of another greenhouse gas, is calculated using Equation  
18 A-1 in 40 CFR 98.2, and allows for the comparison of emissions  
19 of various different greenhouse gases with different global  
20 warming potentials and the calculation of the relative impact  
21 of the emissions on the environment over a standard time  
22 period.

23 "Disproportionately impacted community" means the  
24 residents within a census block group in which, according to  
25 the most recent federal decennial census, more than 40% of the  
26 households are low-income households, more than 40% of the

1 households identify as minority households, or more than 40%  
2 of the households are housing cost-burdened, as defined by the  
3 United States Census Bureau.

4 "Greenhouse gas emissions" or "GHG emissions" means  
5 emissions of carbon dioxide, methane, nitrous oxide,  
6 hydrofluorocarbons, perfluorocarbons, nitrogen trifluoride,  
7 and sulfur hexafluoride.

8 "Greenhouse gas emissions analysis" or "GHG emissions  
9 analysis" means the analysis of the GHG emissions calculated  
10 as being generated by the projects and programs contained in  
11 an applicable planning document.

12 "Greenhouse gas mitigation measure" or "GHG mitigation  
13 measure" means a project, program, or policy established by  
14 the Environmental Protection Agency by rule under subparagraph  
15 (G) of paragraph (3) of subsection (c) that can reasonably be  
16 expected to result in a quantifiable reduction in GHG  
17 emissions and that would not be undertaken absent the need by  
18 the Department or an MPO to reduce GHG emissions to meet their  
19 greenhouse gas targets. "Greenhouse gas mitigation measure" or  
20 "GHG mitigation measure" does not include a roadway capacity  
21 expansion project. "Greenhouse gas mitigation measure" or "GHG  
22 mitigation measure" includes:

23 (1) the addition of transit and other mobility  
24 resources, including, but not limited to, shared bicycle  
25 and scooter service, in a manner that will reduce VMT;

26 (2) improving pedestrian and bicycle access,



1 particularly in areas that allow individuals to reduce  
2 multiple daily trips and better access transit;

3 (3) transportation demand management to reduce VMT per  
4 capita, including, but not limited to, vanpool and shared  
5 vehicle programs, remote work and other forms of virtual  
6 access, and use of pricing and other incentives for  
7 employees and other travelers to use less greenhouse gas  
8 intensive travel modes;

9 (4) improving first-and-final mile access to transit  
10 stops and stations to make transit safer and more usable;

11 (5) improving the safety, efficiency, and Americans  
12 with Disabilities Act compliance of crosswalks and  
13 multiuse paths for pedestrians, bicyclists, and other  
14 nonmotorized vehicles;

15 (6) changing parking and land use policies and  
16 adjusting urban design requirements to encourage more  
17 walking, bicycling, and transit trips per capita and  
18 reduce VMT per capita;

19 (7) adoption or expansion of school bus, school  
20 carpool, or school active transportation programs;

21 (8) electrifying loading docks to allow transportation  
22 refrigeration units and auxiliary power units to be  
23 plugged into the electric grid at the loading dock instead  
24 of running on fossil fuels;

25 (9) accelerating the adoption of ebikes, neighborhood  
26 electric carshare vehicles, and other forms of vehicles

1 that emit less greenhouse gas when manufactured and  
2 operated; and

3 (10) other measures established or authorized by the  
4 Environmental Protection Agency by rule that reduce GHG  
5 emissions.

6 "Greenhouse gas target" or "GHG target" means the maximum  
7 amount of greenhouse gas expressed as CO<sub>2</sub>e at each of the  
8 various specified times established by subsection (c) that the  
9 Department and MPOs must attain through their transportation  
10 planning and project prioritization and funding processes.

11 "Induced demand" means a concept from economics that as  
12 supply increases and incurred costs decline, demand will  
13 increase. This phenomenon has been widely observed and studied  
14 in transportation systems where highways have been expanded to  
15 alleviate road congestion problems, resulting in increases in  
16 vehicle miles traveled.

17 "MPO" means a metropolitan planning organization  
18 designated by agreement among the units of local government  
19 and the Governor, charged with developing transportation plans  
20 and programs in a metropolitan planning area under Section 134  
21 of Title 23 of the United States Code.

22 "Mitigation action plan" means the plan for implementation  
23 of GHG mitigation measures prepared by the Department or an  
24 MPO.

25 "Other entities" means the entities referenced in  
26 subsection (s).

1       "Roadway capacity expansion project" means a project that  
2 would be included in the Department's State Transportation  
3 Improvement Program as an MPO or significant project and that  
4 (i) adds physical highway traffic capacity or provides for  
5 grade separation at an intersection or (ii) uses intelligent  
6 transportation system technology to increase the traffic  
7 capacity of an existing highway by 10% or more. "Roadway  
8 capacity expansion project" does not include a project whose  
9 primary purpose is enhancing public transportation bus  
10 infrastructure or services. "Roadway capacity expansion  
11 project" includes all project types, including those described  
12 as maintenance or rehabilitation projects.

13       "Social cost of carbon" means the estimates of the social  
14 cost of carbon adopted by the United States Environmental  
15 Protection Agency, or such higher figure as adopted by the  
16 Environmental Protection Agency, Department, or MPO under  
17 subsection (o).

18       "STIP" means a State Transportation Improvement Program.

19       "TIP" means a Transportation Improvement Program.

20       "VMT" means vehicle miles traveled.

21       (c) By January 1, 2027, the Environmental Protection  
22 Agency, after consultation with the Department and MPOs, must  
23 establish, by rule, a schedule of GHG targets for GHG  
24 emissions from the transportation sector in the State that:

25           (1) do not allow GHG emissions in the transportation  
26 sector to exceed the greenhouse gas performance targets

1 established by the Environmental Protection Agency for the  
2 transportation sector under subsection (p) of Section 9.15  
3 of the Environmental Protection Act;

4 (2) specify GHG targets on a 5-year or more frequent  
5 compliance year basis; and

6 (3) allocate GHG targets across the transportation  
7 sector of the State, which:

8 (A) must provide for an allocation to each MPO for  
9 their metropolitan region;

10 (B) must provide for an allocation to the  
11 Department for areas outside the boundaries of the  
12 State's MPOs;

13 (C) must account for the differences in the  
14 feasibility and extent of emissions reductions across  
15 forms of land use and across regions of the State;

16 (D) must require that the Department and MPOs  
17 factor in the impact of induced demand associated with  
18 transportation projects and policies in calculating  
19 the GHG emissions generated by their respective  
20 transportation systems;

21 (E) must be based on the best available data and  
22 modeling tools accessible to the Environmental  
23 Protection Agency, such as the SHIFT calculator, after  
24 consultation with other State agencies, universities,  
25 the federal government, and other appropriate expert  
26 sources;

1           (F) must include VMT targets necessary for the  
2           Department and MPOs to meet their GHG targets;

3           (G) must set out standards and requirements for  
4           acceptable GHG mitigation measures; and

5           (H) may include additional performance targets  
6           based on Department district, metropolitan area,  
7           geographic region, a per capita calculation,  
8           transportation mode, or a combination thereof.

9           (d) When adopting or amending an applicable planning  
10          document, the Department and an MPO must conduct a GHG  
11          emissions analysis that:

12           (1) includes (i) the existing transportation network,  
13           (ii) the anticipated changes to that network as a result  
14           of the projects contained in the applicable planning  
15           document, and (iii) the projects in their STIP or TIP;

16           (2) estimates total CO<sub>2</sub>e emissions in millions of  
17           metric tons for each applicable GHG target date  
18           established under subsection (c);

19           (3) compares estimated total CO<sub>2</sub>e emissions against  
20           the GHG targets applicable to the Department or MPO;

21           (4) compares the social cost of carbon for total  
22           estimated CO<sub>2</sub>e emissions against the social cost of carbon  
23           associated with each applicable GHG target;

24           (5) certifies whether the Department or MPO is in  
25           compliance with its applicable GHG targets; and

26           (6) is published in full on the websites of the

1 Department or MPO.

2 (e) The Department, with assistance from the Environmental  
3 Protection Agency, shall:

4 (1) provide technical assistance to MPOs in fulfilling  
5 their responsibilities under this Section, including:

6 (A) assembling and sharing greenhouse gas-related  
7 resources and transportation sector best practices in  
8 managing GHG emissions;

9 (B) hosting peer reviews and exchanges of  
10 technical data, information, assistance, and related  
11 activities;

12 (C) making Department staff resources accessible  
13 to answer questions and provide in-depth assistance to  
14 MPOs on specific issues;

15 (D) providing information about grants and other  
16 funding opportunities;

17 (E) conducting evaluations of GHG emissions  
18 analyses against national best practices;

19 (F) connecting MPOs to resources in public  
20 agencies, universities, and elsewhere; and

21 (H) conducting other similar and related  
22 activities to assist MPOs in fulfilling their  
23 responsibilities;

24 (2) encourage use of consistent GHG emissions data,  
25 assumptions, and methodology by the Department and MPOs;

26 (3) ensure that its planning processes under Sections

1       2705-200, 2705-203, and 2705-205 and its guidance to MPOs  
2       under this subsection provide that at least the same level  
3       of analytical scrutiny is given to greenhouse gas  
4       pollutants as is given to other air pollutants of concern  
5       in the State, and include consideration of the impact on  
6       GHG emissions of induced demand resulting from roadway  
7       capacity expansion projects;

8       (4) update its Metropolitan Planning Organization  
9       Cooperative Operations Manual, as necessary;

10       (5) review the GHG emissions analysis used by each MPO  
11       to determine if the GHG emissions analysis is inclusive of  
12       the complete, actual, and planned transportation network  
13       in the applicable planning document and uses reasonable  
14       GHG emissions forecasting data, assumptions, modeling, and  
15       methodology:

16       (A) if the Department rejects the GHG emissions  
17       analysis used by an MPO, the Department shall detail  
18       the deficiencies and give the MPO an opportunity to  
19       take corrective action;

20       (B) until the MPO takes appropriate corrective  
21       action, the Department shall not approve the MPO's  
22       applicable planning document, include the projects in  
23       the MPO's applicable planning document in the  
24       Department's STIP, or make a finding or otherwise  
25       represent to the federal government or other  
26       governmental agencies that the MPO is in compliance

1           with its legal obligations;

2           (C) if, after given an opportunity for corrective  
3           action, an MPO does not submit an acceptable GHG  
4           emissions analysis, the Department may substitute its  
5           own GHG emissions analysis for planning and  
6           programming purposes until the MPO produces an  
7           acceptable GHG emissions analysis; and

8           (D) the Department shall establish an appropriate  
9           process, including deadlines for timely completion of  
10           its review of MPO GHG emissions analyses and for  
11           corrective action by MPOs where such is necessary;

12           (6) upon request of an MPO, provide the MPO with a GHG  
13           emissions analysis that the MPO can use for purposes of  
14           this Section in lieu of the MPO conducting its own GHG  
15           emissions analysis; and

16           (7) adopt rules applicable to itself, MPOs, and  
17           recipients of Department funding so the State can achieve  
18           the transportation sector greenhouse gas emissions  
19           reduction goals and targets set forth in subsections (c)  
20           and (p) of Section 9.15 of the Environmental Protection  
21           Act and administer the various processes and requirements  
22           set forth in this Section.

23           (f) The Department and each MPO must use a GHG emissions  
24           analysis to determine if their applicable planning document  
25           will result in the Department or MPO meeting its GHG targets.  
26           If a GHG emissions analysis determines that the Department or



1 MPO is more likely than not to fail to meet one or more of its  
2 GHG targets, then the Department or MPO shall identify GHG  
3 mitigation measures that are needed for the Department or MPO  
4 to meet its GHG targets as follows:

5 (1) The Department or MPO shall submit a mitigation  
6 action plan that identifies GHG mitigation measures needed  
7 to meet the GHG targets and that includes:

8 (A) the anticipated start and completion date of  
9 each GHG mitigation measure;

10 (B) an estimate of the annual CO<sub>2</sub>e emissions  
11 reductions achieved per year by the GHG mitigation  
12 measure;

13 (C) an estimate of the impact of the GHG  
14 mitigation measure on VMT;

15 (D) quantification of the specific co-benefits  
16 from each GHG mitigation measure, including reduction  
17 of copollutants, such as PM<sub>2.5</sub> and NO<sub>x</sub>, as well as  
18 travel impacts, such as changes to VMT, pedestrian or  
19 bike use, and transit ridership;

20 (E) a description of any benefits to  
21 disproportionately impacted communities from the GHG  
22 mitigation measure, including an estimate of the total  
23 amount spent on GHG mitigation measures in or designed  
24 to serve disproportionately impacted communities; and

25 (F) a status report submitted annually and  
26 published on its website for each GHG mitigation

1       measure that contains the following information  
2       concerning each GHG mitigation measure:

3               (i) availability and timing of funding;

4               (ii) implementation timeline;

5               (iii) current status;

6               (iv) for GHG mitigation measures that are in  
7       progress or completed, quantification of the  
8       greenhouse gas impact of such GHG mitigation  
9       measures and any co-benefits or detriments; and

10              (v) for GHG mitigation measures that are  
11       delayed, canceled, or substituted, an explanation  
12       of why that decision was made and how these GHG  
13       mitigation measures or the equivalent will be  
14       achieved.

15       (2) GHG mitigation measures are sufficient if the  
16       total GHG emissions reduction from the GHG mitigation  
17       measures, after accounting for the GHG emissions otherwise  
18       resulting from existing and planned projects in the  
19       applicable planning document, results in the Department or  
20       MPO meeting its GHG targets. Each comparison of GHG  
21       emissions reductions and GHG targets under this subsection  
22       must be performed over equal comparison periods.

23       (3) In the annual GHG mitigation measures status  
24       report under subparagraph (F) of paragraph (1), the  
25       Department or MPO shall certify whether its GHG mitigation  
26       measures will be sufficient for the Department or MPO to

1 meet its GHG targets.

2 (g) If an applicable planning document does not meet the  
3 GHG targets for each compliance year even after consideration  
4 of any GHG mitigation measures, the Department may deem the  
5 applicable planning document in compliance with this Section  
6 and approved only if the noncompliant Department or MPO  
7 allocates funding to advance the achievement of the applicable  
8 GHG targets as follows:

9 (1) in non-MPO areas, the Department (i) shall not  
10 advance a roadway capacity expansion project from its  
11 applicable planning document to a STIP or TIP, (ii) shall  
12 not otherwise add a roadway capacity expansion project to  
13 a STIP or TIP, (iii) shall reprogram funds allocated or  
14 anticipated to be expended on roadway capacity expansion  
15 projects awaiting inclusion in a STIP or TIP project to  
16 GHG mitigation measures that reduce GHG emissions  
17 sufficiently to achieve the GHG targets for each  
18 compliance year, and (iv) shall amend its applicable  
19 planning documents to reflect these changes;

20 (2) in MPO areas that are not in receipt of federal  
21 suballocations under the Congestion Mitigation and Air  
22 Quality Improvement Program or Surface Transportation  
23 Board programs, the Department and MPO (i) shall not  
24 advance a roadway capacity expansion project from its  
25 applicable planning document to a STIP or TIP, (ii) shall  
26 not otherwise add a roadway capacity expansion project to

1 a STIP or TIP, (iii) shall reprogram funds allocated or  
2 anticipated to be expended on roadway capacity expansion  
3 projects awaiting inclusion in a STIP or TIP project to  
4 GHG mitigation measures that reduce GHG emissions  
5 sufficiently to achieve the GHG targets for each  
6 compliance year, and (iv) shall amend its applicable  
7 planning documents to reflect these changes;

8 (3) in MPO areas that are in receipt of federal  
9 suballocations under the Congestion Mitigation and Air  
10 Quality Improve Program or Surface Transportation Board  
11 programs, the Department and MPO (i) shall not advance a  
12 roadway capacity expansion project from its applicable  
13 planning document to a STIP or TIP, (ii) shall not  
14 otherwise add a roadway capacity expansion project to a  
15 STIP or TIP, (iii) shall reprogram funds allocated or  
16 anticipated to be expended on roadway capacity expansion  
17 projects awaiting inclusion in a STIP or TIP project to  
18 GHG mitigation measures that reduce GHG emissions  
19 sufficiently to achieve the GHG targets for each  
20 compliance year, and (iv) shall amend its applicable  
21 planning documents to reflect these changes; and

22 (4) the Department and MPOs shall administer  
23 paragraphs (1) through (3) as a limitation on their  
24 authority to advance roadway capacity expansion projects  
25 or other projects that will materially increase GHG  
26 emissions under paragraph (5) of subsection (k) of Section

1       5303 of Title 49 of the United States Code (49 U.S.C.  
2       5303(k)(5)).

3       (h) Before including a roadway capacity expansion project  
4       in an applicable planning document, the Department or MPO must  
5       perform a GHG emissions analysis of the roadway capacity  
6       expansion project. Following the GHG emissions analysis, the  
7       Department or MPO must determine if, after consideration of  
8       all relevant factors, including VMT and social cost of carbon  
9       increases in the transportation network resulting from induced  
10       demand, the project conforms with (i) the applicable GHG  
11       targets and (ii) VMT targets established under subsection (c).

12       (1) If the Department or MPO determines that the  
13       roadway capacity expansion project is not in conformance  
14       with items (i) and (ii), the Department or MPO must:

15               (A) alter the scope or design of the roadway  
16               capacity expansion project and perform a GHG emissions  
17               analysis that shows that the roadway capacity  
18               expansion project meets the requirements of items (i)  
19               and (ii);

20               (B) incorporate sufficient GHG mitigation measures  
21               to bring the Department or MPO into compliance with  
22               its GHG targets, however, in order to be effective,  
23               such GHG mitigation measures must be implemented no  
24               later than contemporaneously with the implementation  
25               of the roadway expansion project or, if not  
26               implemented contemporaneously, a GHG mitigation

1 measure must provide a valid GHG emissions reduction  
2 after the date it is implemented; or

3 (C) halt development of the roadway capacity  
4 expansion project and remove the roadway capacity  
5 expansion project from all applicable planning  
6 documents.

7 (2) The Department and MPOs must establish a process  
8 for performing roadway capacity expansion project GHG  
9 emissions analysis. A GHG emissions analysis for a roadway  
10 capacity expansion project must include, but shall not be  
11 limited to, estimates resulting from the project for the  
12 following:

13 (A) GHG emissions over a period of 20 years or the  
14 last GHG target year, whichever is later;

15 (B) a net change in VMT and social cost of carbon  
16 for the transportation network after factoring in the  
17 effects of induced demand; and

18 (C) consideration of additional VMT in the  
19 transportation network from additional capacity  
20 resulting from roadway traffic capacity expansion,  
21 intelligent transportation systems, or both.

22 (3) The Department or MPO must connect any GHG  
23 mitigation measures associated with the roadway capacity  
24 expansion project as follows:

25 (A) within or associated with at least one of the  
26 communities impacted by the roadway capacity expansion

1           project;

2           (B) if there is not a reasonably feasible location  
3           under subparagraph (A), in areas of persistent poverty  
4           or historically disadvantaged communities, as measured  
5           and defined by federal law, guidance and notices of  
6           funding opportunity;

7           (C) if there is not a reasonably feasible location  
8           under subparagraphs (A) and (B), in the region of the  
9           roadway capacity expansion project; and

10          (D) if there is not a reasonably feasible location  
11          under subparagraphs (A) through (C), on a statewide  
12          basis.

13          (4) The Department or MPO must develop and use a  
14          process for community consultation consistent with the  
15          requirements of subsection (m) in the development of GHG  
16          mitigation measures that the Department or MPO uses to  
17          achieve compliance with its GHG targets.

18          (5) The Department or MPO must publish an explanation  
19          regarding the feasibility and rationale for each GHG  
20          mitigation measure under subparagraphs (B) through (D) of  
21          paragraph (3).

22          (6) GHG mitigation measures connected to a roadway  
23          expansion project are sufficient if the total greenhouse  
24          gas reduction from the GHG mitigation measures is at least  
25          equal to the total GHG emissions resulting from the  
26          roadway capacity expansion project and consistent with the

1 Department or MPO meeting its GHG targets.

2 (A) Each comparison under this paragraph must be  
3 performed over equal comparison periods.

4 (B) To avoid double counting, once a GHG  
5 mitigation measure is connected to a roadway capacity  
6 expansion project, that GHG mitigation measure shall  
7 not be used to offset greenhouse gases associated with  
8 other roadway capacity expansion projects or other  
9 projects included in an applicable planning document.

10 (7) The Department and MPOs must publish information  
11 regarding roadway capacity expansion project GHG emissions  
12 analyses on their websites. The information must include:

13 (A) an identification of each roadway capacity  
14 expansion project; and

15 (B) for each roadway capacity expansion project, a  
16 summary that includes an overview of and link to the  
17 roadway capacity expansion project GHG emissions  
18 analysis, the greenhouse gas impact determination by  
19 the Department or MPO, the social cost of carbon added  
20 by the roadway capacity expansion project, and project  
21 disposition, including a review of any GHG mitigation  
22 measures.

23 (i) The Department and MPOs may use a GHG mitigation  
24 measure as an offset against GHG emissions only after the date  
25 the GHG mitigation measure has been implemented.

26 (j) By January 1, 2029, and every 3 years thereafter, the



1 Department shall prepare a comprehensive, publicly released  
2 report on statewide transportation greenhouse gas reduction  
3 accomplishments and challenges and make recommendations for  
4 any legislative action or State agency rulemaking that would  
5 assist the Department and MPOs in meeting their GHG targets.  
6 The report, at a minimum, shall include:

7 (1) a description of whether the Department and MPOs  
8 are on track to meet their GHG targets and VMT targets;

9 (2) an assessment of State and local laws,  
10 regulations, rules, and practices and recommendations for  
11 modifications that would help ensure that the Department  
12 and MPOs meet their GHG targets and VMT targets;

13 (3) a description of the benefits from reductions in  
14 GHG emissions and copollutants in the transportation  
15 sector, diversification of energy sources used for  
16 transportation, and substitution of other motorized and  
17 nonmotorized modes of travel for VMT currently being  
18 handled by vehicles powered by internal combustion  
19 engines, and other economic, environmental, and public  
20 health benefits;

21 (4) a description of the compliance costs borne by the  
22 Department and MPOs in meeting their GHG targets and VMT  
23 targets;

24 (5) a description of the social cost of carbon  
25 associated with the transportation systems for which the  
26 Department and each MPO is responsible and the social cost

1 of carbon reductions that result from GHG mitigation  
2 measures and other steps being taken by the Department and  
3 each MPO to reduce GHG emissions;

4 (6) a description of whether measures taken by the  
5 Department and MPOs to meet GHG targets are equitable,  
6 minimize costs, and maximize the total benefits to the  
7 State and its citizens; and

8 (7) a description of whether activities undertaken to  
9 meet GHG targets by the Department and MPOs have unduly  
10 burdened disproportionately impacted communities.

11 (k) Before including any project that has an anticipated  
12 cost of \$30,000,000 or more (i) in an applicable planning  
13 document or (ii) as a GHG mitigation measure, the Department  
14 or MPO shall calculate a climate equity accessibility score  
15 for the project. The climate equity accessibility score shall  
16 be based on a GHG emissions analysis of the project and a  
17 measurement of (i) the current levels of access to jobs,  
18 hospitals, schools, and food by available modes of  
19 transportation and (ii) the current level of affordability of  
20 transportation in the project area. The Department and MPO  
21 shall then calculate a climate equity accessibility score  
22 based on the projected change in GHG emissions, accessibility,  
23 and affordability from the proposed project. Projects that  
24 result in relatively high reductions of GHG emissions while  
25 increasing access to jobs and other destinations and providing  
26 more affordable transportation options will receive a higher

1 climate equity accessibility score than projects that fail to  
2 deliver such benefits. To advance the goals of this Section  
3 and optimize the use of public funds, the Department and MPOs  
4 shall give priority to projects with high climate equity  
5 accessibility scores, considering which project delivers the  
6 most climate equity accessibility score benefit per dollar  
7 invested. The Department, with the assistance of the  
8 Environmental Protection Agency, shall provide technical  
9 assistance to MPOs in fulfilling their responsibilities under  
10 this subsection.

11 (1) To the full extent allowed by paragraph (4) of  
12 subsection (k) of Section 5303 of Title 49 of the United States  
13 Code and other applicable laws, and to extend the existing  
14 authority under State law vested in the Chicago Metropolitan  
15 Agency for Planning to MPOs throughout the State, MPOs, with  
16 the full support of the Department, shall conduct housing  
17 coordination planning to help the Department and MPOs meet  
18 their GHG targets.

19 (1) MPOs shall develop housing coordination plans  
20 consistent with subparagraph (C) of paragraph (4) of  
21 subsection (k) of Section 5303 of Title 49 of the United  
22 States Code (49 U.S.C. 5303(k)(4)(C)) to better integrate  
23 housing, transportation, and economic development  
24 strategies and to, among other things:

25 (A) better connect housing and employment while  
26 mitigating commuting times;

1           (B) align transportation improvements with housing  
2           needs, such as housing supply shortages, and proposed  
3           housing development;

4           (C) align planning for housing and transportation  
5           to address needs in relationship to household incomes  
6           within the metropolitan planning area;

7           (D) expand housing and economic development within  
8           the catchment areas of existing transportation  
9           facilities and public transportation services when  
10          appropriate, including higher-density development, as  
11          locally determined;

12          (E) manage effects of VMT growth in the  
13          metropolitan planning area related to housing  
14          development and economic development; and

15          (F) increase the share of households with  
16          sufficient and affordable access to the transportation  
17          networks of the metropolitan planning area.

18          (2) MPOs shall identify the location of existing and  
19          planned housing and employment and transportation options  
20          that connect housing and employment.

21          (3) MPOs shall include a comparison of State,  
22          regional, and local transportation plans in the region to  
23          land use management plans, including zoning plans, that  
24          may affect road use, public transportation ridership, and  
25          housing development.

26          (4) In their housing coordination planning, MPOs shall

1 focus on the effect that land use policies and practices,  
2 such as minimum parking requirements and exclusionary  
3 zoning requirements, contribute to increases in VMT and  
4 GHG emissions and consider how such policies affect  
5 housing and transportation affordability.

6 (5) MPOs shall outline recommendations for land use  
7 policies and best practices that have the effect of  
8 increasing the affordability of housing and transportation  
9 and reducing GHG emissions.

10 (6) The Department shall assist MPOs in their housing  
11 coordination planning and make best efforts to align the  
12 Department's planning and project programming with MPO  
13 efforts to encourage land use policies and best practices  
14 that have the effect of increasing the affordability of  
15 housing and transportation, improving accessibility to  
16 destinations, and reducing GHG emissions.

17 (7) The Department shall not advance to the STIP a  
18 project in a metropolitan planning area that the MPO has  
19 determined would conflict with its housing coordination  
20 plan prepared under paragraph (1) or would have the effect  
21 of decreasing the affordability of transportation or the  
22 accessibility of destinations or of increasing GHG  
23 emissions.

24 (8) In furtherance of Section 48 of the Regional  
25 Planning Act, the Department and MPOs shall adopt  
26 performance-based methods for allocating discretionary

1       funds that reward jurisdictions that have adopted land use  
2       policies and practices associated with increasing the  
3       affordability of housing and transportation, improving  
4       accessibility to destinations, and reducing GHG emissions.

5               (A) The Department and MPOs may build on the  
6               climate equity accessibility scoring tool developed  
7               under subsection (k) or develop a separate tool for  
8               identifying jurisdictions that have adopted land use  
9               policies and practices associated with increasing the  
10              affordability of housing and transportation, improving  
11              accessibility to destinations, and reducing GHG  
12              emissions.

13              (B) The Department and MPOs shall publicly  
14              describe the methodology they use in allocating  
15              discretionary funding under this paragraph.

16              (C) When allocating discretionary funding, the  
17              Department and MPOs shall give at least equal weight  
18              to land use policies and practices that facilitate  
19              reductions in GHG emissions that they give to existing  
20              factors, such as congestion relief, safety, and  
21              traffic operations.

22              (D) The Department and MPOs shall consider land  
23              use policies and practices as provided in this  
24              subsection when allocating discretionary funding from  
25              every source.

26              (9) When evaluating all projects for possible

1 inclusion in applicable planning documents or in a STIP or  
2 TIP, the Department and MPOs shall adopt performance-based  
3 project selection methods that give priority to projects  
4 located in jurisdictions that have adopted land use  
5 policies and practices associated with increasing the  
6 affordability of housing and transportation, improving  
7 accessibility to destinations, and reducing GHG emissions.

8 (10) This subsection shall not diminish or restrict  
9 the existing authority of jurisdictions over their land  
10 use policies and practices.

11 (m) The Department and MPOs shall provide early and  
12 continuous opportunities for public participation in the  
13 transportation planning process. The process shall be  
14 proactive and provide timely information, adequate public  
15 notice, reasonable public access, and opportunities for public  
16 review and comment at key decision points in the process. The  
17 objectives of public participation in the transportation  
18 planning process include providing a mechanism for public  
19 perspectives, needs, and ideas to be considered in the  
20 planning process; developing the public's understanding of the  
21 problems and opportunities facing the transportation system;  
22 demonstrating explicit consideration and response to public  
23 input through a variety of tools and techniques; and  
24 developing a consensus on plans. The Department shall develop  
25 a documented public participation process under 23 CFR 450.

26 (1) Under 23 CFR 450, Subpart B, the Department is

1       responsible, in cooperation with the MPOs, for carrying  
2       out public participation for developing, amending, and  
3       updating the Long-Range State Transportation Plan, the  
4       STIP, and other statewide transportation planning  
5       activities.

6       (2) Under 23 CFR 450, Subpart C, the MPOs, in  
7       cooperation with the Department, are responsible for  
8       carrying out public participation for the development of  
9       Regional Transportation Plans, TIPs, and other regional  
10      transportation planning activities for their respective  
11      metropolitan planning areas.

12      (3) Public participation activities at both the MPO  
13      and Department levels shall include, at a minimum:

14           (A) establishing and maintaining for the  
15           geographic area of responsibility a list of all known  
16           parties interested in transportation planning,  
17           including, but not limited to: elected officials;  
18           municipal and county planning staffs; affected public  
19           agencies; local, State, and federal agencies eligible  
20           for federal and State transportation funds; local  
21           representatives of public transportation agency  
22           employees and users; freight shippers and providers of  
23           freight transportation services; public and private  
24           transportation providers; representatives of users of  
25           transit, bicycling, pedestrian, aviation, and train  
26           facilities; private industry; environmental and other



1 interest groups; representatives of persons or groups  
2 that may be underserved by existing transportation  
3 systems, such as minority persons, low-income seniors,  
4 persons with disabilities, and persons with limited  
5 English proficiency; and members of the general public  
6 expressing interest in the transportation planning  
7 process;

8 (B) providing reasonable notice, which for notice  
9 to a disproportionately impacted community requires  
10 the notice to be translated into the primary language  
11 spoken in the disproportionately impacted community,  
12 and opportunity to comment through mailing lists and  
13 other communication methods on upcoming transportation  
14 planning-related activities and meetings;

15 (C) using reasonably available Internet or  
16 traditional media opportunities, including minority  
17 media and diverse media, to provide timely notices of  
18 planning-related activities and meetings to members of  
19 the public, including limited English proficiency  
20 individuals and others who may require reasonable  
21 accommodations. Methods that shall be used to the  
22 maximum extent practicable for public participation  
23 may include, but shall not be limited to, use of the  
24 Internet, social media, news media, such as  
25 newspapers, radio, or television, mailings to  
26 disproportionately impacted communities by existing

1 transportation systems, including, but not limited to,  
2 seniors and persons with disabilities, and notices,  
3 including electronic mail and online newsletters;

4 (D) seeking out persons and groups, including  
5 minority groups and those with disabilities,  
6 low-income, and limited English proficiency, for the  
7 purposes of exchanging information, increasing their  
8 involvement, and considering their transportation  
9 needs in the transportation planning process;

10 (E) consulting, as appropriate, with federal,  
11 State, local, and tribal agencies responsible for land  
12 use management, natural resources, environmental  
13 protection, conservation, cultural resources, and  
14 historic preservation concerning the development of  
15 long-range transportation plans;

16 (F) providing reasonable public access to, and  
17 appropriate opportunities for public review and  
18 comment on, criteria, standards, and other  
19 planning-related information. Reasonable public access  
20 includes, but is not limited to, limited English  
21 proficiency services and access to ADA-compliant  
22 facilities, as well as to the Internet;

23 (G) where feasible, scheduling the development of  
24 regional and statewide plans so that the release of  
25 the draft plans may be coordinated to provide for the  
26 opportunity for joint public outreach;

1           (H) responses, in writing, from the Department and  
2           MPOs to all significant issues raised during the  
3           review and comment period on transportation plans,  
4           making the responses available to the public; and

5           (I) collaborating periodically with all interested  
6           parties and the Department and MPOs to review the  
7           effectiveness of the Department's and MPOs' public  
8           involvement practices to ensure that they provide full  
9           and open access to all members of the public. When  
10          necessary, the Department or MPO shall revise their  
11          public participation practices in the transportation  
12          planning process and allow time for public review and  
13          comment per 23 CFR 450.

14          (n) Beginning on January 1, 2026, each applicable planning  
15          document from the Department or MPO must include a  
16          consolidated and comprehensive list of all project types to be  
17          funded using any federal, State, or local funding source,  
18          including bicycle, pedestrian, bus, rail, and roadway  
19          projects, and shall include a summary of planned expenditures  
20          by project type.

21          (o) Beginning September 30, 2026, the Department and MPOs  
22          shall establish a social cost of carbon and use the social cost  
23          of carbon in their applicable planning documents and other  
24          planning activities.

25               (1) The social cost of carbon shall serve as a  
26               monetary estimate of the value of not emitting a ton of GHG

1       emissions.

2       (2) In developing the social cost of carbon applicable  
3 to the projects and programs in their applicable planning  
4 documents and for other planning and project programming  
5 activities, the Department and MPOs shall consider the  
6 social cost of carbon established by the Environmental  
7 Protection Agency under subsection (q) of Section 9.15 of  
8 the Environmental Protection Act and may consider prior or  
9 existing estimates of the social cost of carbon issued or  
10 adopted by the federal government, appropriate  
11 international bodies, or other appropriate and reputable  
12 scientific organizations.

13       (3) The Department may adopt the social cost of carbon  
14 established by the Environmental Protection Agency under  
15 subsection (q) of Section 9.15 of the Environmental  
16 Protection Act or establish its own social cost of carbon  
17 through the process set forth in paragraphs (1) and (2),  
18 but the Department shall not adopt a social cost of carbon  
19 that is lower than that established by the Environmental  
20 Protection Agency.

21       (4) MPOs may adopt the social cost of carbon  
22 established by the Environmental Protection Agency under  
23 subsection (q) of Section 9.15 of the Environmental  
24 Protection Act or by the Department under paragraph (3) or  
25 establish their own social cost of carbon through the  
26 process set forth in paragraphs (1) and (2), but an MPO

1 shall not adopt a social cost of carbon that is lower than  
2 that established by the Environmental Protection Agency or  
3 the Department.

4 (5) The Department shall incorporate the social cost  
5 of carbon into its assessment of projects for possible  
6 inclusion in its applicable planning document or for  
7 inclusion in a STIP or TIP, giving priority to projects  
8 that have a relatively low social cost of carbon:

9 (A) The Department shall not include any project  
10 over \$30,000,000 in an applicable planning document or  
11 a STIP or TIP unless it has calculated the social cost  
12 of carbon resulting from the project over the useful  
13 life of the project.

14 (B) Such calculations shall result in an estimate  
15 of the social cost of carbon under a no-build scenario  
16 and an estimate of the social cost of carbon if the  
17 project is built, factoring in the effects of induced  
18 demand and other appropriate factors.

19 (C) The estimate of the social cost of carbon must  
20 include total additional GHG emissions attributable to  
21 the proposed project and shall not be limited to GHG  
22 emissions from within the physical boundaries of the  
23 project.

24 (D) The Department shall publish in applicable  
25 planning documents and STIPs the no-build and build  
26 estimates of the social cost of carbon for each

1 project for which an estimate of the social cost of  
2 carbon has been prepared.

3 (E) For purposes of its planning processes under  
4 Sections 2705-200, 2705-203, and 2705-205, and after  
5 factoring in the effects of induced demand on VMT  
6 attributable to a proposed project, the Department  
7 shall offset the social cost of carbon and the social  
8 cost of crashes attributable to a project against its  
9 projections of the value of the time savings from any  
10 reduction in congestion attributable to the project  
11 and shall publish its calculations and results.

12 (F) The Department may rely upon estimates of the  
13 social cost of carbon prepared by MPOs for projects  
14 included in a STIP that are located inside the MPO's  
15 boundaries only if the Department finds that those  
16 estimates of the social cost of carbon are based on  
17 reasonable assumptions and methodology.

18 (6) Each MPO shall incorporate the social cost of  
19 carbon into its assessment of projects for possible  
20 inclusion in its applicable planning document or for  
21 inclusion in a TIP, giving priority to projects that have  
22 a relatively low social cost of carbon:

23 (A) An MPO shall not include any project over  
24 \$30,000,000 in a TIP unless it has calculated the  
25 social cost of carbon resulting from the project over  
26 the useful life of the project.

1           (B) Such calculations shall result in an estimate  
2           of the social cost of carbon under a no-build scenario  
3           and an estimate of the social cost of carbon if the  
4           project is built, factoring in the effects of induced  
5           demand and other appropriate factors.

6           (C) The estimate of the social cost of carbon must  
7           include total additional GHG emissions attributable to  
8           the proposed project and shall not be limited to GHG  
9           emissions from within the physical boundaries of the  
10          project.

11          (D) Each MPO shall publish in its applicable  
12          planning documents and TIPs the no-build and build  
13          estimates of the social cost of carbon for each  
14          project for which an estimate of the social cost of  
15          carbon has been prepared.

16          (E) For purposes of its planning processes, and  
17          after factoring in the effects of induced demand on  
18          VTM attributable to a proposed project, an MPO shall  
19          offset the social cost of carbon and the social cost of  
20          crashes attributable to a project from its projection  
21          of the value of the time savings from any reduction in  
22          congestion attributable to the project and shall  
23          publish its calculations and results.

24          (F) An MPO may rely upon the estimate of the social  
25          cost of carbon prepared by the Department for projects  
26          included in a TIP only if the MPO finds that the

1 Department's estimates of the social cost of carbon  
2 are based on reasonable assumptions and methodologies.

3 (p) By no later than January 1, 2026, the Department shall  
4 convene a Greenhouse Gas in Transportation Working Group.

5 (1) The Working Group shall assist the Department and  
6 MPOs with:

7 (A) planning and implementing the requirements of  
8 this Section;

9 (B) identifying opportunities to reduce GHG  
10 emissions in the transportation sector;

11 (C) identifying promising GHG mitigation measures;

12 (D) preparing the Department's triennial report on  
13 statewide transportation sector greenhouse gas  
14 reduction accomplishments and challenges and make  
15 recommendations for any legislative or regulatory  
16 action that would assist the Department and MPOs in  
17 meeting their GHG targets; and

18 (E) connecting the Department and MPOs with local,  
19 regional, and national experts and best practices  
20 relating to planning and programming transportation  
21 projects to, among other things, reduce GHG emissions  
22 from the transportation sector.

23 (2) The membership of the Working Group shall include  
24 the following:

25 (A) the Secretary of Transportation or the  
26 Secretary's designee;



1           (B) the Director of the Environmental Protection  
2           Agency or the Director's designee;

3           (C) the Chair of the Chicago Metropolitan Agency  
4           for Planning or the Chair's designee;

5           (D) the chair of another MPO or the chair's  
6           designee, appointed by the Governor;

7           (E) a university representative with expertise in  
8           GHG emissions in the transportation sector, appointed  
9           by the Governor;

10          (F) a representative from an environmental justice  
11          organization, appointed by the Governor;

12          (G) a representative from an active transportation  
13          organization, appointed by the Governor;

14          (H) a representative from a transportation  
15          planning organization, appointed by the Governor;

16          (I) a representative from a land use planning  
17          organization, appointed by the Governor;

18          (J) a representative from the freight industry,  
19          appointed by the Governor;

20          (K) a representative from a public transportation  
21          agency, appointed by the Governor;

22          (L) a representative from a labor organization,  
23          appointed by the Governor;

24          (M) a representative from a road building  
25          contractor, appointed by the Governor;

26          (N) a representative from a chamber of commerce,

1 appointed by the Governor;

2 (P) a representative from the engineering sector,  
3 appointed by the Governor; and

4 (Q) such other representatives, appointed by the  
5 Governor, that will ensure that the Working Group will  
6 provide the Department and MPOs with a sufficient  
7 range and depth of expertise in GHG emissions  
8 reduction in the transportation sector to assist the  
9 Department and MPOs in carrying out their  
10 responsibilities under this Section.

11 (3) The members of the Working Group must select a  
12 Chair from its membership.

13 (4) Members of the Working Group shall serve without  
14 compensation other than reimbursement for travel and other  
15 expenses incurred in the performance of their duties.

16 (5) The Department shall provide sufficient staff  
17 support and other resources for the Working Group to  
18 perform its duties effectively, including a website  
19 accessible to the public that contains an up-to-date  
20 record of the activities, research, reports,  
21 recommendations, and other materials assembled by the  
22 Working Group.

23 (6) The Working Group shall first meet within 90 days  
24 of the effective date of this amendatory Act of the 104th  
25 General Assembly. The Working Group shall hold public  
26 meetings no less than quarterly, shall actively seek

1 public input, shall publish annual reports, and by June  
2 30, 2028, shall publish a report with recommendations for  
3 how the Department and MPOs can most effectively reduce  
4 GHG emissions from the transportation sector.

5 (7) The Department shall consider and incorporate  
6 recommendations from the Working Group in its triennial  
7 reports under subsection (j), and both the Department and  
8 MPOs shall consider and incorporate such recommendations  
9 in their preparation of their applicable planning  
10 documents.

11 (8) The Working Group shall operate through January  
12 30, 2029, or 30 days after the Department's filing of its  
13 first triennial report, whichever is later. The Working  
14 Group shall continue in operation after that date to  
15 further assist the Department and MPOs in fulfilling their  
16 responsibilities under this Section unless abolished by  
17 the Governor after receipt of abolition recommendations  
18 from both the Environmental Protection Agency and the  
19 Department.

20 (q) Except as otherwise provided, the requirements of this  
21 Section shall commence with projects included in applicable  
22 planning documents filed on or after January 1, 2028.

23 (r) The requirements of this Section are in addition to  
24 and shall, to the extent practicable, be executed concurrently  
25 with other requirements for transportation planning, project  
26 prioritization, public outreach, project implementation, or

1 transparency and accountability established by law, rule, or  
2 policy.

3 (s) The requirements of this Section shall extend to the  
4 Illinois State Toll Highway Authority and any other builder or  
5 operator of a public highway under a public-private  
6 partnership agreement or other means authorized by State law.

7 (1) The requirements of this Section that apply to the  
8 other entities include, but are not limited to, the  
9 following:

10 (A) the Environmental Protection Agency shall  
11 assign GHG targets to other entities under subsection  
12 (c);

13 (B) other entities shall conduct GHG emissions  
14 analysis and be subject to the other requirements set  
15 forth in subsections (d), (e), (f), (g), and (h) with  
16 respect to their applicable planning documents;

17 (C) other entities shall conduct climate equity  
18 accessibility scoring as set forth in subsection (k);

19 (D) other entities shall follow the public  
20 participation requirements set forth in subsection  
21 (j); and

22 (E) other entities shall use the social cost of  
23 carbon in their planning and project programming  
24 processes as set forth in subsection (o).

25 (2) Other entities may request assistance in complying  
26 with the requirements of this Section from the Department

1       under subsection (e) and from the Greenhouse Gas in  
2       Transportation Working Group under subsection (p).

3       (3) With respect to other entities, "applicable  
4       planning document" means the other entity's capital plan  
5       or other document in which the other entity identifies  
6       projects that it anticipates advancing for construction.

7       (4) The Department may adopt rules necessary to extend  
8       the requirements of this Section to the other entities.

9       Section 10. The Environmental Protection Act is amended by  
10      changing Section 9.15 as follows:

11       (415 ILCS 5/9.15)

12       Sec. 9.15. Greenhouse gases.

13       (a) An air pollution construction permit shall not be  
14      required due to emissions of greenhouse gases if the  
15      equipment, site, or source is not subject to regulation, as  
16      defined by 40 CFR 52.21, as now or hereafter amended, for  
17      greenhouse gases or is otherwise not addressed in this Section  
18      or by the Board in regulations for greenhouse gases. These  
19      exemptions do not relieve an owner or operator from the  
20      obligation to comply with other applicable rules or  
21      regulations.

22       (b) An air pollution operating permit shall not be  
23      required due to emissions of greenhouse gases if the  
24      equipment, site, or source is not subject to regulation, as

1 defined by Section 39.5 of this Act, for greenhouse gases or is  
2 otherwise not addressed in this Section or by the Board in  
3 regulations for greenhouse gases. These exemptions do not  
4 relieve an owner or operator from the obligation to comply  
5 with other applicable rules or regulations.

6 (c) (Blank).

7 (d) (Blank).

8 (e) (Blank).

9 (f) As used in this Section:

10 "Carbon dioxide emission" means the plant annual CO<sub>2</sub> total  
11 output emission as measured by the United States Environmental  
12 Protection Agency in its Emissions & Generation Resource  
13 Integrated Database (eGrid), or its successor.

14 "Carbon dioxide equivalent emissions" or "CO<sub>2</sub>e" means the  
15 sum total of the mass amount of emissions in tons per year,  
16 calculated by multiplying the mass amount of each of the 6  
17 greenhouse gases specified in Section 3.207, in tons per year,  
18 by its associated global warming potential as set forth in 40  
19 CFR 98, subpart A, table A-1 or its successor, and then adding  
20 them all together.

21 "Cogeneration" or "combined heat and power" refers to any  
22 system that, either simultaneously or sequentially, produces  
23 electricity and useful thermal energy from a single fuel  
24 source.

25 "Copollutants" refers to the 6 criteria pollutants that  
26 have been identified by the United States Environmental

1 Protection Agency pursuant to the Clean Air Act.

2 "Electric generating unit" or "EGU" means a fossil  
3 fuel-fired stationary boiler, combustion turbine, or combined  
4 cycle system that serves a generator that has a nameplate  
5 capacity greater than 25 MWe and produces electricity for  
6 sale.

7 "Environmental justice community" means the definition of  
8 that term based on existing methodologies and findings, used  
9 and as may be updated by the Illinois Power Agency and its  
10 program administrator in the Illinois Solar for All Program.

11 "Equity investment eligible community" or "eligible  
12 community" means the geographic areas throughout Illinois that  
13 would most benefit from equitable investments by the State  
14 designed to combat discrimination and foster sustainable  
15 economic growth. Specifically, eligible community means the  
16 following areas:

17 (1) areas where residents have been historically  
18 excluded from economic opportunities, including  
19 opportunities in the energy sector, as defined as R3 areas  
20 pursuant to Section 10-40 of the Cannabis Regulation and  
21 Tax Act; and

22 (2) areas where residents have been historically  
23 subject to disproportionate burdens of pollution,  
24 including pollution from the energy sector, as established  
25 by environmental justice communities as defined by the  
26 Illinois Power Agency pursuant to the Illinois Power

1 Agency Act, excluding any racial or ethnic indicators.

2 "Equity investment eligible person" or "eligible person"  
3 means the persons who would most benefit from equitable  
4 investments by the State designed to combat discrimination and  
5 foster sustainable economic growth. Specifically, eligible  
6 person means the following people:

7 (1) persons whose primary residence is in an equity  
8 investment eligible community;

9 (2) persons whose primary residence is in a  
10 municipality, or a county with a population under 100,000,  
11 where the closure of an electric generating unit or mine  
12 has been publicly announced or the electric generating  
13 unit or mine is in the process of closing or closed within  
14 the last 5 years;

15 (3) persons who are graduates of or currently enrolled  
16 in the foster care system; or

17 (4) persons who were formerly incarcerated.

18 "Existing emissions" means:

19 (1) for CO<sub>2</sub>e, the total average tons-per-year of CO<sub>2</sub>e  
20 emitted by the EGU or large GHG-emitting unit either in  
21 the years 2018 through 2020 or, if the unit was not yet in  
22 operation by January 1, 2018, in the first 3 full years of  
23 that unit's operation; and

24 (2) for any copollutant, the total average  
25 tons-per-year of that copollutant emitted by the EGU or  
26 large GHG-emitting unit either in the years 2018 through



1           2020 or, if the unit was not yet in operation by January 1,  
2           2018, in the first 3 full years of that unit's operation.

3           "Green hydrogen" means a power plant technology in which  
4           an EGU creates electric power exclusively from electrolytic  
5           hydrogen, in a manner that produces zero carbon and  
6           copollutant emissions, using hydrogen fuel that is  
7           electrolyzed using a 100% renewable zero carbon emission  
8           energy source.

9           "Large greenhouse gas-emitting unit" or "large  
10          GHG-emitting unit" means a unit that is an electric generating  
11          unit or other fossil fuel-fired unit that itself has a  
12          nameplate capacity or serves a generator that has a nameplate  
13          capacity greater than 25 MWe and that produces electricity,  
14          including, but not limited to, coal-fired, coal-derived,  
15          oil-fired, natural gas-fired, and cogeneration units.

16          "NO<sub>x</sub> emission rate" means the plant annual NO<sub>x</sub> total output  
17          emission rate as measured by the United States Environmental  
18          Protection Agency in its Emissions & Generation Resource  
19          Integrated Database (eGrid), or its successor, in the most  
20          recent year for which data is available.

21          "Public greenhouse gas-emitting units" or "public  
22          GHG-emitting unit" means large greenhouse gas-emitting units,  
23          including EGUs, that are wholly owned, directly or indirectly,  
24          by one or more municipalities, municipal corporations, joint  
25          municipal electric power agencies, electric cooperatives, or  
26          other governmental or nonprofit entities, whether organized

1 and created under the laws of Illinois or another state.

2 "SO<sub>2</sub> emission rate" means the "plant annual SO<sub>2</sub> total  
3 output emission rate" as measured by the United States  
4 Environmental Protection Agency in its Emissions & Generation  
5 Resource Integrated Database (eGrid), or its successor, in the  
6 most recent year for which data is available.

7 (g) All EGUs and large greenhouse gas-emitting units that  
8 use coal or oil as a fuel and are not public GHG-emitting units  
9 shall permanently reduce all CO<sub>2</sub>e and copollutant emissions to  
10 zero no later than January 1, 2030.

11 (h) All EGUs and large greenhouse gas-emitting units that  
12 use coal as a fuel and are public GHG-emitting units shall  
13 permanently reduce CO<sub>2</sub>e emissions to zero no later than  
14 December 31, 2045. Any source or plant with such units must  
15 also reduce their CO<sub>2</sub>e emissions by 45% from existing  
16 emissions by no later than January 1, 2035. If the emissions  
17 reduction requirement is not achieved by December 31, 2035,  
18 the plant shall retire one or more units or otherwise reduce  
19 its CO<sub>2</sub>e emissions by 45% from existing emissions by June 30,  
20 2038.

21 (i) All EGUs and large greenhouse gas-emitting units that  
22 use gas as a fuel and are not public GHG-emitting units shall  
23 permanently reduce all CO<sub>2</sub>e and copollutant emissions to zero,  
24 including through unit retirement or the use of 100% green  
25 hydrogen or other similar technology that is commercially  
26 proven to achieve zero carbon emissions, according to the

1 following:

2 (1) No later than January 1, 2030: all EGUs and large  
3 greenhouse gas-emitting units that have a NO<sub>x</sub> emissions  
4 rate of greater than 0.12 lbs/MWh or a SO<sub>2</sub> emission rate of  
5 greater than 0.006 lb/MWh, and are located in or within 3  
6 miles of an environmental justice community designated as  
7 of January 1, 2021 or an equity investment eligible  
8 community.

9 (2) No later than January 1, 2040: all EGUs and large  
10 greenhouse gas-emitting units that have a NO<sub>x</sub> emission  
11 rate of greater than 0.12 lbs/MWh or a SO<sub>2</sub> emission rate  
12 greater than 0.006 lb/MWh, and are not located in or  
13 within 3 miles of an environmental justice community  
14 designated as of January 1, 2021 or an equity investment  
15 eligible community. After January 1, 2035, each such EGU  
16 and large greenhouse gas-emitting unit shall reduce its  
17 CO<sub>2</sub>e emissions by at least 50% from its existing emissions  
18 for CO<sub>2</sub>e, and shall be limited in operation to, on average,  
19 6 hours or less per day, measured over a calendar year, and  
20 shall not run for more than 24 consecutive hours except in  
21 emergency conditions, as designated by a Regional  
22 Transmission Organization or Independent System Operator.

23 (3) No later than January 1, 2035: all EGUs and large  
24 greenhouse gas-emitting units that began operation prior  
25 to the effective date of this amendatory Act of the 102nd  
26 General Assembly and have a NO<sub>x</sub> emission rate of less than

1 or equal to 0.12 lb/MWh and a SO<sub>2</sub> emission rate less than  
2 or equal to 0.006 lb/MWh, and are located in or within 3  
3 miles of an environmental justice community designated as  
4 of January 1, 2021 or an equity investment eligible  
5 community. Each such EGU and large greenhouse gas-emitting  
6 unit shall reduce its CO<sub>2</sub>e emissions by at least 50% from  
7 its existing emissions for CO<sub>2</sub>e no later than January 1,  
8 2030.

9 (4) No later than January 1, 2040: All remaining EGUs  
10 and large greenhouse gas-emitting units that have a heat  
11 rate greater than or equal to 7000 BTU/kWh. Each such EGU  
12 and Large greenhouse gas-emitting unit shall reduce its  
13 CO<sub>2</sub>e emissions by at least 50% from its existing emissions  
14 for CO<sub>2</sub>e no later than January 1, 2035.

15 (5) No later than January 1, 2045: all remaining EGUs  
16 and large greenhouse gas-emitting units.

17 (j) All EGUs and large greenhouse gas-emitting units that  
18 use gas as a fuel and are public GHG-emitting units shall  
19 permanently reduce all CO<sub>2</sub>e and copollutant emissions to zero,  
20 including through unit retirement or the use of 100% green  
21 hydrogen or other similar technology that is commercially  
22 proven to achieve zero carbon emissions by January 1, 2045.

23 (k) All EGUs and large greenhouse gas-emitting units that  
24 utilize combined heat and power or cogeneration technology  
25 shall permanently reduce all CO<sub>2</sub>e and copollutant emissions to  
26 zero, including through unit retirement or the use of 100%

1 green hydrogen or other similar technology that is  
2 commercially proven to achieve zero carbon emissions by  
3 January 1, 2045.

4 (k-5) No EGU or large greenhouse gas-emitting unit that  
5 uses gas as a fuel and is not a public GHG-emitting unit may  
6 emit, in any 12-month period, CO<sub>2</sub>e or copollutants in excess of  
7 that unit's existing emissions for those pollutants.

8 (1) Notwithstanding subsections (g) through (k-5), large  
9 GHG-emitting units including EGUs may temporarily continue  
10 emitting CO<sub>2</sub>e and copollutants after any applicable deadline  
11 specified in any of subsections (g) through (k-5) if it has  
12 been determined, as described in paragraphs (1) and (2) of  
13 this subsection, that ongoing operation of the EGU is  
14 necessary to maintain power grid supply and reliability or  
15 ongoing operation of large GHG-emitting unit that is not an  
16 EGU is necessary to serve as an emergency backup to  
17 operations. Up to and including the occurrence of an emission  
18 reduction deadline under subsection (i), all EGUs and large  
19 GHG-emitting units must comply with the following terms:

20 (1) if an EGU or large GHG-emitting unit that is a  
21 participant in a regional transmission organization  
22 intends to retire, it must submit documentation to the  
23 appropriate regional transmission organization by the  
24 appropriate deadline that meets all applicable regulatory  
25 requirements necessary to obtain approval to permanently  
26 cease operating the large GHG-emitting unit;

1           (2) if any EGU or large GHG-emitting unit that is a  
2 participant in a regional transmission organization  
3 receives notice that the regional transmission  
4 organization has determined that continued operation of  
5 the unit is required, the unit may continue operating  
6 until the issue identified by the regional transmission  
7 organization is resolved. The owner or operator of the  
8 unit must cooperate with the regional transmission  
9 organization in resolving the issue and must reduce its  
10 emissions to zero, consistent with the requirements under  
11 subsection (g), (h), (i), (j), (k), or (k-5), as  
12 applicable, as soon as practicable when the issue  
13 identified by the regional transmission organization is  
14 resolved; and

15           (3) any large GHG-emitting unit that is not a  
16 participant in a regional transmission organization shall  
17 be allowed to continue emitting CO<sub>2</sub>e and copollutants  
18 after the zero-emission date specified in subsection (g),  
19 (h), (i), (j), (k), or (k-5), as applicable, in the  
20 capacity of an emergency backup unit if approved by the  
21 Illinois Commerce Commission.

22           (m) No variance, adjusted standard, or other regulatory  
23 relief otherwise available in this Act may be granted to the  
24 emissions reduction and elimination obligations in this  
25 Section.

26           (n) By June 30 of each year, beginning in 2025, the Agency

1 shall prepare and publish on its website a report setting  
2 forth the actual greenhouse gas emissions from individual  
3 units and the aggregate statewide emissions from all units for  
4 the prior year.

5 (o) Every 5 years beginning in 2025, the Environmental  
6 Protection Agency, Illinois Power Agency, and Illinois  
7 Commerce Commission shall jointly prepare, and release  
8 publicly, a report to the General Assembly that examines the  
9 State's current progress toward its renewable energy resource  
10 development goals, the status of CO<sub>2</sub>e and copollutant  
11 emissions reductions, the current status and progress toward  
12 developing and implementing green hydrogen technologies, the  
13 current and projected status of electric resource adequacy and  
14 reliability throughout the State for the period beginning 5  
15 years ahead, and proposed solutions for any findings. The  
16 Environmental Protection Agency, Illinois Power Agency, and  
17 Illinois Commerce Commission shall consult PJM  
18 Interconnection, LLC and Midcontinent Independent System  
19 Operator, Inc., or their respective successor organizations  
20 regarding forecasted resource adequacy and reliability needs,  
21 anticipated new generation interconnection, new transmission  
22 development or upgrades, and any announced large GHG-emitting  
23 unit closure dates and include this information in the report.  
24 The report shall be released publicly by no later than  
25 December 15 of the year it is prepared. If the Environmental  
26 Protection Agency, Illinois Power Agency, and Illinois

1 Commerce Commission jointly conclude in the report that the  
2 data from the regional grid operators, the pace of renewable  
3 energy development, the pace of development of energy storage  
4 and demand response utilization, transmission capacity, and  
5 the CO<sub>2</sub>e and copollutant emissions reductions required by  
6 subsection (i) or (k-5) reasonably demonstrate that a resource  
7 adequacy shortfall will occur, including whether there will be  
8 sufficient in-state capacity to meet the zonal requirements of  
9 MISO Zone 4 or the PJM ComEd Zone, per the requirements of the  
10 regional transmission organizations, or that the regional  
11 transmission operators determine that a reliability violation  
12 will occur during the time frame the study is evaluating, then  
13 the Illinois Power Agency, in conjunction with the  
14 Environmental Protection Agency shall develop a plan to reduce  
15 or delay CO<sub>2</sub>e and copollutant emissions reductions  
16 requirements only to the extent and for the duration necessary  
17 to meet the resource adequacy and reliability needs of the  
18 State, including allowing any plants whose emission reduction  
19 deadline has been identified in the plan as creating a  
20 reliability concern to continue operating, including operating  
21 with reduced emissions or as emergency backup where  
22 appropriate. The plan shall also consider the use of renewable  
23 energy, energy storage, demand response, transmission  
24 development, or other strategies to resolve the identified  
25 resource adequacy shortfall or reliability violation.

26 (1) In developing the plan, the Environmental



1 Protection Agency and the Illinois Power Agency shall hold  
2 at least one workshop open to, and accessible at a time and  
3 place convenient to, the public and shall consider any  
4 comments made by stakeholders or the public. Upon  
5 development of the plan, copies of the plan shall be  
6 posted and made publicly available on the Environmental  
7 Protection Agency's, the Illinois Power Agency's, and the  
8 Illinois Commerce Commission's websites. All interested  
9 parties shall have 60 days following the date of posting  
10 to provide comment to the Environmental Protection Agency  
11 and the Illinois Power Agency on the plan. All comments  
12 submitted to the Environmental Protection Agency and the  
13 Illinois Power Agency shall be encouraged to be specific,  
14 supported by data or other detailed analyses, and, if  
15 objecting to all or a portion of the plan, accompanied by  
16 specific alternative wording or proposals. All comments  
17 shall be posted on the Environmental Protection Agency's,  
18 the Illinois Power Agency's, and the Illinois Commerce  
19 Commission's websites. Within 30 days following the end of  
20 the 60-day review period, the Environmental Protection  
21 Agency and the Illinois Power Agency shall revise the plan  
22 as necessary based on the comments received and file its  
23 revised plan with the Illinois Commerce Commission for  
24 approval.

25 (2) Within 60 days after the filing of the revised  
26 plan at the Illinois Commerce Commission, any person

1       objecting to the plan shall file an objection with the  
2       Illinois Commerce Commission. Within 30 days after the  
3       expiration of the comment period, the Illinois Commerce  
4       Commission shall determine whether an evidentiary hearing  
5       is necessary. The Illinois Commerce Commission shall also  
6       host 3 public hearings within 90 days after the plan is  
7       filed. Following the evidentiary and public hearings, the  
8       Illinois Commerce Commission shall enter its order  
9       approving or approving with modifications the reliability  
10      mitigation plan within 180 days.

11       (3) The Illinois Commerce Commission shall only  
12      approve the plan if the Illinois Commerce Commission  
13      determines that it will resolve the resource adequacy or  
14      reliability deficiency identified in the reliability  
15      mitigation plan at the least amount of CO<sub>2</sub>e and copollutant  
16      emissions, taking into consideration the emissions impacts  
17      on environmental justice communities, and that it will  
18      ensure adequate, reliable, affordable, efficient, and  
19      environmentally sustainable electric service at the lowest  
20      total cost over time, taking into account the impact of  
21      increases in emissions.

22       (4) If the resource adequacy or reliability deficiency  
23      identified in the reliability mitigation plan is resolved  
24      or reduced, the Environmental Protection Agency and the  
25      Illinois Power Agency may file an amended plan adjusting  
26      the reduction or delay in CO<sub>2</sub>e and copollutant emission

1 reduction requirements identified in the plan.

2 (p) The goals of the State are to reduce greenhouse gas  
3 emissions from the transportation sector in the State by at  
4 least 80% from the 2005 level and achieve a net-zero emissions  
5 transportation sector, both by 2050.

6 (1) An incremental goal of at least a 50% reduction in  
7 greenhouse gas emissions from the transportation sector  
8 below the year 2005 level by the year 2031 is hereby  
9 established.

10 (2) By no later than September 30, 2026, the Agency  
11 shall establish greenhouse gas emissions reduction targets  
12 for the State transportation sector on a 5-year or more  
13 frequent basis that will achieve these goals.

14 (3) The Agency shall set the first such emissions  
15 reduction target for no later than 2031, shall use 2005  
16 emissions as the baseline year, and shall provide that  
17 each 5-year target is at least 15 percentage points lower  
18 and no more than 25 percentage points lower than the  
19 immediately preceding 5-year target.

20 (4) The emissions reduction targets set by the Agency  
21 must be by transportation mode, such as aerial transport  
22 and highway transport, as the Agency deems appropriate  
23 after consultation with the Department of Transportation.

24 (5) The Agency, in coordination with the Department of  
25 Transportation, shall adopt rules establishing policies  
26 and programs necessary for the State to achieve the

1 transportation sector greenhouse gas emissions reduction  
2 goals and targets set forth in this subsection and in  
3 subsection (c) of Section 2705-204 of the Department of  
4 Transportation Law of the Civil Administrative Code of  
5 Illinois. The rules may make changes to how the Department  
6 of Transportation and MPOs plan, program, prioritize, and  
7 fund transportation projects so that the State can achieve  
8 the greenhouse gas emissions reduction goals and targets  
9 set forth in this subsection and in subsection (c) of  
10 Section 2705-204 of the Department of Transportation Law  
11 of the Civil Administrative Code of Illinois.

12 (6) The Department of Transportation and MPOs in the  
13 State shall ensure that their greenhouse gas emissions  
14 reporting under Title 23, Part 490, of the Code of Federal  
15 Regulations conforms to the greenhouse gas emissions  
16 reduction goals and targets set forth in this subsection  
17 and in subsection (c) of Section 2705-204 of the  
18 Department of Transportation Law of the Civil  
19 Administrative Code of Illinois.

20 (q) No later than June 30, 2026, the Agency, by rule, shall  
21 establish a social cost of carbon, expressed in terms of  
22 dollars per ton of CO<sub>2</sub>e.

23 (1) The social cost of carbon shall serve as a  
24 monetary estimate of the value of not emitting a ton of  
25 greenhouse gas emissions.

26 (2) In developing the social cost of carbon, the

1       Agency shall consider estimates of the social cost of  
2       carbon issued or adopted by the federal government,  
3       appropriate international bodies, or other appropriate and  
4       reputable scientific organizations, but the social cost of  
5       carbon adopted by the Agency must not be less than the  
6       social cost of carbon adopted by the United States  
7       Environmental Protection Agency.

8       (3) The Agency shall periodically update its estimate  
9       of the social cost of carbon to reflect changes in data,  
10      assumptions, and estimates, and it shall do so at least  
11      once every 5 years.

12      (4) Except as otherwise provided by law, State  
13      agencies shall use the social cost of carbon figure  
14      established by the Agency for purposes of estimating the  
15      cost associated with carbon-related emissions.

16      (Source: P.A. 102-662, eff. 9-15-21; 102-1031, eff. 5-27-22.)