

SB2309



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2309

Introduced 2/7/2025, by Sen. Laura Ellman

SYNOPSIS AS INTRODUCED:

615 ILCS 5/26a
615 ILCS 5/35

from Ch. 19, par. 74

Amends the Rivers, Lakes, and Streams Act. Provides that penalty fees collected for violating the Act and application fees for permits shall be deposited into the Water Resources Fund (rather than the State Boating Act Fund).

LRB104 10958 LNS 21040 b

A BILL FOR

1 AN ACT concerning transportation.

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

4 Section 5. The Rivers, Lakes, and Streams Act is amended
5 by changing Sections 26a and 35 as follows:

6 (615 ILCS 5/26a) (from Ch. 19, par. 74)

7 Sec. 26a. The Department of Natural Resources may issue
8 orders requiring all necessary remedial actions to correct
9 violations of this Act and impose the civil penalties provided
10 in this Section. All orders entered by the Department of
11 Natural Resources shall be made only upon giving reasonable
12 notice to persons to be affected by such orders; or having any
13 interest in the subject matter of such orders and after a
14 hearing in relation thereto. Any person who violates any
15 provision of this Act; any rule or regulation adopted by the
16 Department; any permit, term, or condition of this Act; or any
17 order of the Department under this Act, shall be liable for a
18 civil penalty of up to 2 times the applicable permit fee, but
19 not to exceed \$5,000 for a violation. The penalty fee may, upon
20 order of the Department of Natural Resources or a court of
21 competent jurisdiction, be made payable to the Department and
22 deposited into the Water Resources ~~State Boating Act~~ Fund and
23 may be used for the purposes as authorized under Section 59.14

1 of the Environmental Protection Act. The moneys deposited into
2 the Water Resources Fund under this Section shall not be
3 subject to administrative charges or chargebacks unless
4 otherwise authorized by this Act ~~for use by the Department for~~
5 ~~ordinary and contingent expenses.~~

6 (Source: P.A. 99-73, eff. 1-1-16.)

7 (615 ILCS 5/35)

8 Sec. 35. Permit fees. The Department of Natural Resources
9 shall collect a fee of up to \$5,000 per application for permits
10 issued under this Act. The Department of Natural Resources
11 shall set the specific fee applicable to different permits
12 issued under this Act by administrative rule, provided that no
13 fee exceeds \$5,000. All fees collected pursuant to this
14 Section shall be deposited in the Water Resources Fund and may
15 be used for the purposes as authorized under Section 59.14 of
16 the Environmental Protection Act. ~~State Boating Act Fund for~~
17 ~~use by the Department of Natural Resources for the ordinary~~
18 ~~and contingent expenses of the Department of Natural~~
19 ~~Resources.~~ No permit application shall be processed until the
20 application fee is paid to the Department of Natural
21 Resources. The monies deposited into the Water Resources ~~State~~
22 ~~Boating Act~~ Fund under this Section shall not be subject to
23 administrative charges or chargebacks unless otherwise
24 authorized by this Act.

25 (Source: P.A. 97-1136, eff. 1-1-13.)