



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3915

Introduced 2/6/2026, by Sen. David Koehler

SYNOPSIS AS INTRODUCED:

See Index

Creates the Household Hazardous Waste Stewardship Act. Requires that manufacturers implement a stewardship plan, beginning January 1, 2028, and establishes related prohibitions. Requires a manufacturer to establish, fund, and implement a stewardship program individually or collectively as part of a stewardship organization, with certain funding requirements. Lists other manufacturer and stewardship organization obligations and requirements. Requires each manufacturer who sells covered products in the State to register with a stewardship organization by April 1, 2027, and annually thereafter, and subsequently also with the Environmental Protection Agency. Requires stewardship organizations to post certain information on a website by January 1, 2028. Prohibits a manufacturer from selling a covered product, beginning in program year 2028, unless the manufacturer is registered and operates a stewardship program or is part of a stewardship organization. Requires stewardship organizations to jointly prepare, no later than January 1, 2027, a household hazardous waste needs assessment. Prohibits a retailer from selling a covered product unless the manufacturer is identified as a participant in a stewardship organization with an approved stewardship plan. Requires collection sites to keep certain records and provide certain data. Lists requirements and procedures for stewardship plans. Lists collection convenience standard requirements. Requires each stewardship organization to jointly submit, by June 1, 2029, and annually thereafter, a report to the Agency. Requires a stewardship organization to pay an annual fee to the Agency and lists responsibilities of the Agency. Exempts activities under the Act from antitrust laws. Allows the Agency to adopt rules. Provides civil penalties for violations. Specifies that it is a Class 4 or Class 3 felony to make a fraudulent material statement to the Agency under the Act. Allows for collection of covered products using a premium collection service. Makes findings. Defines terms. Effective immediately.

LRB104 16614 BDA 30015 b

1 AN ACT concerning safety.

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

4 Section 1. Short title. This Act may be cited as the
5 Household Hazardous Waste Stewardship Act.

6 Section 5. Findings. The General Assembly finds that:

7 (1) It is in the best interest of the State of Illinois for
8 manufacturers of products for household use that contain
9 hazardous substances to assume responsibility for the
10 development, financing, and implementation of a statewide
11 stewardship program that conveniently serves all areas of the
12 State for the collection and environmentally sound management
13 of waste from those products. There are hundreds of products
14 purchased by consumers that contain hazardous substances,
15 including, but not limited to, aerosol products, fertilizers,
16 herbicides, pesticides, fluorescent lamps, furniture stripper
17 and varnish, gasoline, kerosene, used oil, antifreeze,
18 household cleaners, solvent cleaners, and pool or hot tub
19 chemicals.

20 (2) Improper management and disposal of household
21 hazardous waste is a threat to public health and the
22 environment.

23 (3) In 1991, the need for household hazardous waste

1 collection programs throughout the State was recognized and
2 the Household Hazardous Waste Collection Act was enacted.
3 Since then, the Illinois Environmental Protection Agency and
4 local governments have worked together to support collection
5 events and develop 5 permanent household hazardous waste
6 collection facilities. However, these existing services do not
7 provide convenient collection services statewide, and the cost
8 of these programs for the Agency and local governments exceeds
9 \$11,000,000 annually.

10 (4) In 2015, the Task Force on the Advancement of
11 Materials Recycling issued a report to the General Assembly
12 that unanimously recommended that a convenient statewide
13 household hazardous waste collection infrastructure was
14 needed. In 2021, the Statewide Materials Management Advisory
15 Committee issued a report to the General Assembly that
16 recommended up to 5 additional permanent household hazardous
17 waste collection facilities be developed in the State.

18 Section 10. Definitions. In this Act:

19 "Agency" means the Illinois Environmental Protection
20 Agency.

21 "Antifreeze" means propylene glycol or ethylene glycol,
22 including aggregated batches of propylene glycol or ethylene
23 glycol, used as a heat transfer medium in an internal
24 combustion engine; heating, ventilating, and air conditioning
25 units; and electronics cooling applications; or used for

1 winterizing equipment.

2 "Brand" means a name, symbols, words, or marks that
3 identify a covered product and attribute the product to the
4 owner of the brand as the manufacturer.

5 "Collection cost" means costs related to the collection of
6 covered products, including, but not limited to: facility
7 siting costs; facility permitting costs; facility construction
8 costs; facility maintenance costs; equipment costs; fork lift
9 costs; truck costs; labor and benefits; costs for supplies,
10 including traffic control devices, test kits for unknown
11 waste, tape, plastic sheeting, and spill clean-up kits;
12 building and equipment maintenance costs; event costs,
13 including marketing costs; third-party contractor costs,
14 including event set-up costs; environmental service fees;
15 insurance fees; costs for shipping containers and materials;
16 pallet costs; and personal protective equipment costs.

17 "Collection site" means a permanent facility permitted by
18 the Agency to accept, manage, and store covered products or a
19 location where a one-day collection event is held to collect
20 covered products which are then transported offsite for proper
21 management.

22 "Covered entity" means any person who presents a covered
23 product to a collection site from that person's use at a
24 household, with the exception of large quantity generators,
25 small quantity generators, or very small quantity generators.

26 "Covered product" means any product offered for retail

1 sale for household use contained in the receptacle in which
2 the product is offered for retail sale, except for used oil,
3 antifreeze, gasoline, and kerosene, if the product has any of
4 the following characteristics:

5 (1) the physical properties of the product meet the
6 criteria for characteristic wastes under the federal
7 Resource Conservation and Recovery Act of 1976, 42 U.S.C.
8 6901 et seq., including ignitability, corrosivity,
9 reactivity or toxicity as defined in 40 CFR 261.20 to
10 261.24;

11 (2) the physical properties of the product meet the
12 criteria for designation as a class 2, 3, 4, 5, 6, or 8
13 hazardous material, as defined in 49 CFR 173, by the
14 United States Department of Transportation under the
15 Hazardous Materials Transportation Act of 1975, 49 U.S.C.
16 5101 et seq.; or

17 (3) the product requires registration under the
18 Federal Insecticide, Fungicide, and Rodenticide Act, 7
19 U.S.C. 136.

20 "Covered product" includes a product added by rule under
21 Section 70 of this Act.

22 "Covered product" does not include:

23 (1) automotive fluids, including, without limitation,
24 (i) household do-it-yourselfer used oil as defined under
25 35 Ill. Adm. Code 739.100 or successor rules and (ii)
26 antifreeze;

1 (2) a covered battery, as defined in the Portable and
2 Medium-Format Battery Stewardship Act;

3 (3) a drug, as defined in 21 U.S.C. 321(g)(1); a
4 biological product, as defined in 42 U.S.C. 262(i); a
5 device, as defined by 21 U.S.C. 321(h)(1); or any
6 combination of those items;

7 (4) products sold for commercial agricultural use that
8 require registration under the Federal Insecticide,
9 Fungicide, and Rodenticide Act, 7 U.S.C. 136;

10 (5) architectural paint, as defined in the Paint
11 Stewardship Act;

12 (6) a covered electronic device, as defined in the
13 Consumer Electronics Recycling Act;

14 (7) a vitamin or dietary supplement;

15 (8) a liquefied petroleum or other gas container,
16 cylinder, or receptacle;

17 (9) a fire extinguisher;

18 (10) an oil filter;

19 (11) a smoke detector, ionizing type;

20 (12) ammunition, fireworks, explosives, and projectile
21 marine flares;

22 (13) potentially infectious medical waste, as defined
23 in Section 3.360 of the Illinois Environmental Protection
24 Act;

25 (14) electronic cigarettes, as defined in the
26 Prevention of Tobacco Use by Persons under 21 Years of Age

1 and Sale and Distribution of Tobacco Products Act, and
2 their apparatuses, including, but not limited to, vape
3 pods;

4 (15) an antimicrobial product that requires
5 registration under the Federal Insecticide, Fungicide, and
6 Rodenticide Act, 7 U.S.C. 136, and is labeled in
7 accordance with federal requirements for pesticide
8 products intended for household use only; and

9 (16) a product that is subtracted by rule under
10 Section 70 of this Act.

11 "Disposal cost" means the costs related to the final
12 disposition of the collected covered products.

13 "Environmental justice community" means environmental
14 justice community, as determined by the Agency.

15 "Environmentally sound management" means management
16 practices implemented in a manner that is designed to protect
17 public health, safety, and the environment, including, but not
18 limited to:

19 (1) adequate recordkeeping;

20 (2) keeping detailed documentation of the methods used

21 to:

22 (A) manage covered products; and

23 (B) track and document the fate of covered
24 products from collection through final disposition
25 within this State and outside this State;

26 (3) performance audits and inspections;

1 (4) compliance with worker health and safety
2 requirements; and

3 (5) maintenance of adequate environmental liability
4 insurance and financial assurances for a stewardship
5 organization and contractors working for the stewardship
6 organization.

7 "Final disposition" means the point beyond which no
8 further processing takes place and the covered product has
9 been either transformed for direct use as a feedstock in
10 producing new products, discarded in a manner approved by the
11 Agency, processed for energy recovery in permitted facilities,
12 or incinerated without energy recovery in permitted
13 facilities.

14 "Manufacturer" means a person who:

15 (1) manufactures or manufactured a covered product
16 under its own brand or label for sale in the State;

17 (2) sells in the State under its own brand or label a
18 covered product produced by another supplier;

19 (3) owns a brand that it licenses or licensed to
20 another person for use on a covered product sold in the
21 State;

22 (4) imports a covered product manufactured by a person
23 without a presence in the United States into the United
24 States for sale in the United States;

25 (5) manufactures a covered product for sale in the
26 State without affixing a brand name; or

1 (6) is the manufacturer of a covered product sold,
2 offered for sale, or distributed in or into this State, as
3 defined in this Section, except if another party has
4 contractually accepted responsibility as a responsible
5 manufacturer and has joined a stewardship organization as
6 the manufacturer for that covered product.

7 "Orphan covered product" means a covered product for which
8 no manufacturer can be identified.

9 "Person" has the meaning given to that term in Section
10 3.315 of the Environmental Protection Act.

11 "Premium collection service" means collection service
12 provided at a location that is not a collection site such as
13 at-home pickup service, including curbside pickup service.

14 "Program year" means a calendar year. The first program
15 year is 2028.

16 "Retailer" means a person who first sells, through any
17 means, including a sales outlet, catalog, the Internet, or
18 electronic means, a covered product to a customer for
19 residential use or any permanent establishment where
20 merchandise is displayed, held, stored, or offered for sale to
21 the public.

22 "Stewardship organization" means a manufacturer that
23 directly implements a stewardship program required under this
24 Act, a corporation designated by a manufacturer or group of
25 manufacturers to implement a stewardship program under this
26 Act, or a nonprofit organization designated by a manufacturer

1 or group of manufacturers to implement a stewardship program
2 under this Act.

3 "Stewardship plan" means a plan developed by a
4 manufacturer or a stewardship organization that is consistent
5 with this Act and approved by the Agency.

6 "Stewardship program" means a program implemented by a
7 stewardship organization consistent with this Act and the
8 approved stewardship plan.

9 "Transfer facility" has the meaning given to that term in
10 35 Ill. Adm. Code 723.112 or successor rules.

11 "Transfer station" has the meaning given to that term in
12 Section 3.500 of the Environmental Protection Act.

13 "Transportation cost" means the cost associated with
14 loading and shipping covered products to a transfer station,
15 transfer facility, or final disposition location.

16 Section 15. Requirement that manufacturers implement a
17 stewardship program.

18 (a) Beginning January 1, 2028, a manufacturer selling,
19 making available for sale, or distributing covered products in
20 or into the State of Illinois shall participate in an approved
21 stewardship plan.

22 (b) Beginning January 1, 2028, no manufacturer shall sell
23 covered products in or into the State who does not participate
24 in a stewardship organization and stewardship plan.

25 (c) Beginning January 1, 2028, no manufacturer shall sell

1 covered products in or into the State if the covered product is
2 not labeled with a brand or if the original manufacturer is not
3 identified on the label.

4 Section 20. Manufacturer obligations.

5 (a) A manufacturer shall establish, fund, and implement a
6 stewardship program individually or collectively as part of a
7 stewardship organization. The proportion of funding by
8 manufacturers shall be:

9 (1) 50% of the collection cost for all collection
10 sites in an approved stewardship program in program year
11 2028, 60% of the collection cost for all collection sites
12 in an approved stewardship program in program year 2029,
13 70% of the collection cost for all collection sites in an
14 approved stewardship program in program year 2030, 80% of
15 the collection cost for all collection sites in an
16 approved stewardship program in program year 2031, and 90%
17 of the collection cost for all collection sites in an
18 approved stewardship program in each program year
19 thereafter; and

20 (2) 100% of the transportation cost and disposal cost
21 for covered products and orphan covered products collected
22 in accordance with this Act; and

23 (3) 100% of the collection cost, transportation cost,
24 and disposal cost for collection sites operated by the
25 stewardship organization.

1 (4) 60% of the capital cost to construct a new,
2 permanent household hazardous waste collection facility if
3 a unit of local government has secured at least 40% of the
4 capital cost needed for construction on or between January
5 1, 2028 and January 1, 2030.

6 (b) If there is more than one stewardship organization
7 representing manufacturers, manufacturers shall jointly submit
8 a single stewardship plan that meets the requirements of
9 Section 40 and a single annual report that meets the
10 requirements of Section 55.

11 (c) If there is more than one stewardship organization,
12 manufacturers shall designate one stewardship organization to
13 enter into mutual agreements with collection sites.

14 (d) Each stewardship organization shall equitably allocate
15 stewardship program costs to manufacturers participating in
16 the stewardship program. The method of cost allocation shall
17 be included in the stewardship plan required under Section 40.

18 (e) A manufacturer, stewardship organization, or retailer
19 shall not charge:

20 (1) a specific point-of-sale fee to a covered entity
21 to recoup the costs of the stewardship program; or

22 (2) a specific fee at the time the covered products
23 are collected from a covered entity.

24 (f) A manufacturer or stewardship organization shall not
25 charge a fee to any person collecting covered products under
26 this Act.

1 (g) Beginning January 1, 2028, units of local government
2 and any person with a permanent collection site, an Agency
3 sponsored one-day collection site, or a contractually
4 obligated one-day collection site shall be included in the
5 stewardship organization's plan and stewardship program and
6 shall be counted toward complying with the collection
7 requirements in Section 50. A stewardship organization must
8 reimburse collection sites for collection costs incurred due
9 to serving as a collection site for a stewardship program in
10 accordance with this Section. A stewardship organization must
11 establish a mutual agreement with each collection site and
12 provide reimbursement for collection costs no less frequently
13 than every 3 months.

14 (h) A stewardship organization must accept and fund the
15 collection, transportation, and disposal costs associated with
16 orphan covered products.

17 (i) A stewardship organization is not responsible for
18 funding the cost associated with premium collection service.

19 Section 25. Manufacturer registration.

20 (a) By April 1, 2027, and by April 1 of each year
21 thereafter for the upcoming program year, beginning with
22 program year 2028, each manufacturer who sells covered
23 products in the State must register with a stewardship
24 organization by submitting to the stewardship organization a
25 list of all the brands under which the manufacturer sells or

1 offers for sale in the State. Each stewardship organization
2 shall subsequently register with the Agency, on a form
3 prescribed by the Agency, and provide a list of all the brands
4 and manufacturers covered by the stewardship organization.

5 (b) By January 1, 2028, each stewardship organization
6 shall post on the single, coordinated website, as required by
7 Section 40, a list of all registered manufacturers and
8 associated brands.

9 (c) Beginning in program year 2028, a manufacturer whose
10 covered products are sold or offered for sale in this State for
11 the first time on or after April 1 of the program year must
12 register with a stewardship organization within 30 days after
13 the date the covered products are first sold or offered for
14 sale in the State. The stewardship organization must provide
15 the Agency the name of the manufacturer and its brand or
16 brands, in writing, within 30 days of the date the
17 manufacturer registered with the stewardship organization.

18 (d) Beginning in program year 2028, no manufacturer may
19 sell or offer to sell a covered product in this State unless
20 the manufacturer is registered and operates a stewardship
21 program either individually or as part of a stewardship
22 organization.

23 Section 28. Household hazardous waste needs assessment.

24 (a) Each stewardship organization shall jointly prepare
25 and equitably share in the cost for the preparation of a single

1 household hazardous waste needs assessment. The needs
2 assessment shall be completed and submitted to the Agency no
3 later than January 1, 2027.

4 (b) The needs assessment shall address, at a minimum, the
5 following:

6 (1) a description of the Agency's program for
7 collecting household hazardous waste in the State,
8 including a listing of all collection sites and the
9 disposal costs for each collection site on an annual basis
10 for calendar years 2023, 2024, and 2025;

11 (2) an evaluation of the Agency's current contract for
12 disposal of household hazardous waste, including the scope
13 of acceptable wastes allowed under the contract and the
14 costs for disposal of the wastes on a unit cost basis;

15 (3) an evaluation of household hazardous waste
16 collected by each collection site by type of waste as
17 reported to the Agency by the collection sites and by the
18 Agency's disposal contractor;

19 (4) an estimate of the collection costs incurred by
20 the collection sites in calendar years 2023, 2024, and
21 2025;

22 (5) a detailed analysis of household hazardous waste
23 collected by the permanent collection sites by waste type,
24 brand, and manufacturer and amount by volume or weight for
25 each manufacturer of the products;

26 (6) an evaluation of the potential for reuse or

1 recycling of household hazardous waste currently collected
2 by collection sites, including an estimate of the total
3 amount of household hazardous waste collected in calendar
4 year 2025 that may have been suitable for reuse or
5 recycling and the cost savings compared to disposal if the
6 waste had been reused or recycled;

7 (7) a comparison of the scope of covered products, as
8 defined in Section 10 of this Act, to the acceptable
9 wastes collected under the Agency's current contract;

10 (8) an estimate of collection costs and disposal costs
11 to meet the collection requirements in Section 50 of this
12 Act;

13 (9) an estimate of the impact of the following
14 education programs on the cost to dispose of household
15 hazardous waste collected in 2025: education programs
16 directed at encouraging consumers to purchase only the
17 products and amounts that are necessary, to avoid waste,
18 and to avoid the necessity of taking a product to a
19 collection site; and

20 (10) an evaluation of the method and cost for
21 manufacturers to be responsible under the federal
22 Comprehensive Environmental Response, Compensation, and
23 Liability Act (CERCLA) for the final disposal of the
24 covered products.

25 Section 30. Role of retailers.

1 (a) Beginning July 1, 2028, a retailer may not sell, offer
2 for sale, distribute, or otherwise make available for sale a
3 covered product unless the manufacturer of the covered product
4 is identified as a participant in a stewardship organization
5 whose stewardship plan has been approved by the Agency.

6 (b) A retailer is not in violation of the requirements of
7 subsection (a) of this Section if the information on the
8 single, coordinated website made available under subsection
9 (b) of Section 25 lists the manufacturer as a participant in a
10 stewardship organization whose stewardship plan has been
11 approved by the Agency.

12 (c) A retailer selling or offering covered products for
13 sale in the State shall provide information to covered
14 entities, provided by the stewardship organization, regarding
15 available end-of-life management options for covered products.
16 The information that a stewardship organization must make
17 available to retailers for use by retailers must include, but
18 is not limited to, in-store signage, written materials, and
19 other promotional materials that retailers may use to inform
20 customers of the available end-of-life management options for
21 covered products.

22 Section 35. Role of collection sites.

23 (a) Collection sites must keep accurate records to
24 demonstrate collection costs associated with the stewardship
25 program.

1 (b) Collection sites must provide data as required by a
2 stewardship organization to comply with the requirements of
3 Section 55.

4 Section 40. Stewardship plan components.

5 (a) By June 1, 2027, each stewardship organization must
6 coordinate and submit to the Agency for approval a single
7 stewardship plan for covered products. The Agency shall review
8 and approve a plan based on whether it:

9 (1) lists each manufacturer and brand of covered
10 products registered with each stewardship organization,
11 including manufacturers who have contractually accepted
12 responsibility as a manufacturer in accordance with
13 paragraph (6) of the definition of "manufacturer" in this
14 Act;

15 (2) provides for free, convenient, and accessible
16 statewide access for the collection of covered products
17 from covered entities in the State;

18 (3) describes how retailers will be made aware of
19 their obligation to sell only covered products from
20 manufacturers participating in an approved stewardship
21 plan;

22 (4) describes the education and communications
23 strategy being implemented to promote participation in the
24 stewardship program by covered entities and provides the
25 information necessary for effective participation in the

1 stewardship program, including the development of a
2 single, coordinated website and providing information to
3 retailers under subsection (c) of Section 30 of this Act;

4 (5) describes the information to be provided on the
5 single, coordinated website, including, but not limited
6 to, information about collection site locations, including
7 a map showing the locations of all collection sites, hours
8 of operation, contact information, and a list of
9 acceptable covered products and nonacceptable items;

10 (6) describes efforts by manufacturers to reduce the
11 environmental health and safety impacts of covered
12 products;

13 (7) provides for the environmentally sound management
14 of covered products;

15 (8) provides the name, location, and permit status of
16 final disposition facilities where covered products will
17 be transported and the covered products managed by each
18 final disposition facility;

19 (9) demonstrates compliance with the collection
20 convenience standard requirements in Section 50;

21 (10) describes how data regarding the covered products
22 collected in a program year will be reported, including
23 independent data for each collection site regarding the
24 amount of covered products collected and the number of
25 covered entities that participated in the stewardship
26 program;

1 (11) describes how a stewardship organization will
2 incorporate existing permanent collection sites and
3 one-day collection sites into the stewardship program;

4 (12) describes how a stewardship organization will
5 incorporate new, permanent collection sites, developed
6 under paragraph (4) of subsection (a) of Section 20 of
7 this Act, into the stewardship program;

8 (13) describes the method to establish and administer
9 a means for fully funding the stewardship program in a
10 manner that equitably distributes the stewardship
11 program's costs among the manufacturers that are part of
12 each stewardship organization and that provides for
13 sufficient funding to implement the program beginning
14 January 1, 2028; for manufacturers that choose to meet the
15 requirements of this Act individually, without joining a
16 stewardship organization, the plan must describe the
17 proposed method to establish and administer a means for
18 fully funding the stewardship program; and

19 (14) describes efforts that will be made to ensure
20 that areas designated as environmental justice communities
21 will have convenient access to collection sites.

22 (b) A stewardship organization must submit a new
23 stewardship plan to the Agency for approval no less than every
24 5 years.

25 (c) A stewardship organization must provide plan
26 amendments to the Agency for approval when proposing changes

1 to the approved stewardship plan or when requested by the
2 Agency due to deficiencies in the stewardship program being
3 implemented under the stewardship plan in effect.

4 Section 45. Stewardship plan approval.

5 (a) The Agency shall approve the proposed stewardship plan
6 if each manufacturer participating in the stewardship plan has
7 registered under Section 25 and the stewardship plan
8 demonstrates compliance with the requirements of Section 40.

9 (b) Within 90 days after receiving the stewardship plan,
10 the Agency shall either approve, reject, or approve with
11 modification the stewardship plan in writing for each
12 stewardship organization. If the Agency rejects the
13 stewardship plan, it shall provide the reason for the
14 rejection in the written notification to the stewardship
15 organization.

16 (c) No later than 60 days after receipt of a notice of
17 rejection under subsection (b) of this Section, a revised
18 stewardship plan must be submitted to the Agency. Within 30
19 days after receipt of the revised stewardship plan, the Agency
20 shall either approve or reject the revised stewardship plan in
21 writing for the stewardship organization.

22 (d) After approval, manufacturers must, either
23 individually or collectively as a stewardship organization,
24 initiate operation of the stewardship program outlined in the
25 stewardship plan no later than January 1, 2028.

1 Section 50. Collection convenience standard requirements.

2 (a) A stewardship organization implementing a stewardship
3 plan must provide for the collection of all covered products
4 to all covered entities on a free, continuous, and statewide
5 basis. If there is more than one stewardship organization,
6 those stewardship organizations may coordinate and meet the
7 requirements of this Section jointly.

8 (b) For covered products, by the beginning of program year
9 2028, statewide collection requirements must include all
10 permanent collection sites permitted to collect covered
11 products as of January 1, 2028, all Agency sponsored one-day
12 collection sites under which the Agency has an agreement to
13 conduct one-day events, and all one-day collection sites that
14 are contractually obligated by any person.

15 (c) For covered products, statewide collection
16 requirements by the beginning of program year 2030 must
17 include:

18 (1) at least one collection site that is a permanent
19 collection site for covered products within a 15-mile
20 radius for at least 60% of State residents; and

21 (2) at least one collection site that is a one-day
22 collection site for covered products within a 25-mile
23 radius for at least an additional 20% of State residents.

24 (d) For covered products, statewide collection
25 requirements by the beginning of program year 2031 must

1 include:

2 (1) at least one collection site that is a permanent
3 collection site for covered products within a 15-mile
4 radius for at least 70% of State residents; and

5 (2) at least one collection site that is a one-day
6 collection site for covered products within a 25-mile
7 radius for at least 25% of State residents.

8 (e) Collection convenience shall be for at least the
9 number of hours allowed by the site's Agency permit for a
10 permanent collection site. Collection convenience for a
11 one-day collection site shall be at least once per year or as
12 contractually obligated and shall be at least 6 hours in
13 length per collection event.

14 (f) Any new, permanent household hazardous waste
15 collection facility developed under paragraph (4) of
16 subsection (a) of Section 20 of this Act shall be included in
17 the stewardship program.

18 Section 55. Reporting requirements.

19 (a) By June 1, 2029, and each June 1 thereafter, each
20 stewardship organization must jointly submit a single annual
21 report to the Agency covering the preceding program year and
22 post the annual report on its website. The report must include
23 the following:

24 (1) an independent financial assessment of the
25 stewardship program implemented by each stewardship

1 organization, including a breakdown of the program's
2 expenses, including, but not limited to, collection cost,
3 disposal cost, transportation cost, and administrative
4 cost;

5 (2) a summary financial statement documenting the
6 financing of each stewardship organization's program and
7 an analysis of program costs and expenditures. A
8 stewardship organization implementing similar programs in
9 other states may submit a financial statement, including
10 all other covered states, if the statement breaks out
11 financial information pertinent to Illinois;

12 (3) a breakdown of the type and manifested weight of
13 covered products collected by the stewardship program for
14 each collection site and the number of covered entities
15 who brought covered products to each collection site;

16 (4) the name and address of each collection site used
17 to collect covered products, including an up-to-date map
18 indicating the location of all collection sites;

19 (5) the name and address of each person transporting
20 the covered products for final disposition;

21 (6) a breakdown of the final disposition of the
22 covered products including a list of the facilities used
23 in the disposition of the covered products that includes
24 the name and geographic location of the facilities, the
25 covered products managed at each facility, and any
26 violations of environmental laws, rules, or regulations

1 over the previous 3 years at each facility;

2 (7) an assessment of whether the collection
3 convenience standard requirements in Section 50 have been
4 met or not;

5 (8) a description of the education and communication
6 efforts, including examples of marketing materials and
7 efforts used, including an assessment of the success of
8 the educational efforts; and

9 (9) any recommendations for changes to the stewardship
10 program.

11 (b) Proprietary information submitted to the Agency under
12 this Act is exempted from disclosure as provided under
13 paragraphs (g) and (mm) of subsection (1) of Section 7 of the
14 Freedom of Information Act.

15 (c) Within 30 days after Agency approval of the annual
16 report, the annual report shall be posted to the single,
17 coordinated website required under Section 40.

18 Section 60. Fee and Agency role.

19 (a) By July 1, 2027, and by July 1 of each year thereafter,
20 a stewardship organization shall pay to the Agency an annual
21 fee set by the Agency by rule. If there is more than one
22 stewardship organization, the stewardship organizations shall
23 equitably split the annual fee under this Section. The fee
24 shall cover the Agency's full costs of implementing,
25 administering, and enforcing this Act. The annual fee shall be

1 deposited into the Solid Waste Management Fund to be used for
2 costs associated with the administration of this Act.

3 (b) The responsibilities of the Agency in implementing,
4 administering, and enforcing this Act include:

5 (1) reviewing submitted stewardship plans and plan
6 amendments and making determinations as to whether to
7 approve the plan or plan amendment;

8 (2) reviewing annual reports submitted under Section
9 55 to ensure compliance with that Section;

10 (3) maintaining a link on its website to the single,
11 coordinated website required under paragraph (5) of
12 subsection (a) of Section 40;

13 (4) maintaining the list of registered manufacturers
14 on its website; and

15 (5) providing technical assistance to producers,
16 retailers, and collection sites related to the
17 requirements of this Act.

18 Section 65. Antitrust immunity. The activities authorized
19 by this Act require collaboration among the covered
20 manufacturers and the collection sites. These activities will
21 enable safe and secure collection, transportation, and
22 disposal of covered products in Illinois and are, therefore,
23 in the best interest of the public. The benefits of
24 collaboration, together with active State supervision,
25 outweigh potential adverse impacts. Therefore, the General

1 Assembly intends to exempt State antitrust laws and provide
2 immunity through the state action doctrine from federal
3 antitrust laws, activities that are undertaken under this Act
4 that might otherwise be constrained by such laws. The General
5 Assembly does not intend to authorize any person or entity to
6 engage in activities not provided for by this Act, and the
7 General Assembly neither exempts nor provides immunity for
8 such activities.

9 Section 70. Rulemaking authority. The Agency may adopt any
10 rules that are necessary and that are consistent with the
11 provisions of this Act.

12 Section 75. Penalties and civil actions.

13 (a) Any person who violates any provision of this Act is
14 liable for a civil penalty of \$7,000 per violation, except
15 that failure to pay a fee under this Act shall cause the person
16 who fails to pay the fee to be liable for a civil penalty that
17 is double the applicable fee.

18 (b) The penalties provided in this Section may be
19 recovered in a civil action brought in the name of the People
20 of the State of Illinois by the State's Attorney of the county
21 in which the violation occurred or by the Attorney General.
22 Any penalties collected under this Section in an action in
23 which the Attorney General has prevailed shall be deposited
24 into the Environmental Protection Trust Fund, to be used in

1 accordance with the provisions of the Environmental Protection
2 Trust Fund Act.

3 (c) The Attorney General or the State's Attorney of a
4 county in which a violation occurs may institute a civil
5 action for an injunction, prohibitory or mandatory, to
6 restrain violations of this Act or to require such actions as
7 may be necessary to address violations of this Act.

8 (d) The penalties and injunctions provided in this Act are
9 in addition to any penalties, injunctions, or other relief
10 provided under any other State law. Nothing in this Act bars a
11 cause of action by the State for any other penalty,
12 injunction, or other relief provided by any other law.

13 (e) Any person who makes a false, fictitious, or
14 fraudulent material statement, orally or in writing, to the
15 Agency, related to or required by this Act or any rule adopted
16 under this Act commits a Class 4 felony, and each such
17 statement or writing shall be considered a separate Class 4
18 felony. A person who, after being convicted under this
19 subsection, violates this subsection a second or subsequent
20 time commits a Class 3 felony.

21 Section 80. Collection of covered products using premium
22 collection service. Nothing in this Act shall prevent or
23 prohibit a person from offering or performing a fee-based,
24 household collection of covered products provided such
25 person's premium collection services must be performed in

1 compliance with all applicable federal, State, and local laws
2 and requirements, including, but not limited to, all
3 applicable U.S. Department of Transportation laws and
4 regulations, and all applicable provisions of the
5 Environmental Protection Act. Such person collecting covered
6 products may make available to the stewardship organization
7 some or all of the covered products collected using premium
8 collection service at no expense. After consolidation of some
9 or all of the covered products at the person's facilities, the
10 transport to and processing of such covered products by the
11 stewardship organization's processors of some or all of the
12 covered products shall be at the stewardship organization's
13 expense. The stewardship organization may count the households
14 serviced by premium collection service toward the collection
15 and convenience standard requirements in Section 50 of this
16 Act.

17 Section 97. Severability. The provisions of this Act are
18 severable under Section 1.31 of the Statute on Statutes.

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

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2

Statutes amended in order of appearance

3

New Act