

**SB3979**



**104TH GENERAL ASSEMBLY**

**State of Illinois**

**2025 and 2026**

**SB3979**

Introduced 2/6/2026, by Sen. Javier L. Cervantes

**SYNOPSIS AS INTRODUCED:**

220 ILCS 5/4-620 new

Amends the Public Utilities Act. Provides that all decarbonization pilots, pathways, or infrastructure plans under a Future of Gas proceeding pursuant to the final Order of the Commission in Docket No. 24-0158 shall undergo a Regulatory Takings Assessment prior to approval. Requires the Assessment shall be conducted by an independent third party and evaluated and confirmed by intervenors and stakeholders. Provides that the Assessment shall evaluate certain factors. Provides that a mandate in a decarbonization pilot, pathway, or infrastructure plan shall not be approved if the mandate risks creating a taking without compensation that is equivalent to at least 80% of depreciated asset value. Provides that the Commission shall coordinate with the Environmental Protection Agency to ensure the alignment of air pollution standards and shall require, by rule, uniform metrics across decarbonization pilots, pathways, and infrastructure plans, including bill impacts and equity analyses. Provides that rulemaking pursuant to the amendatory Act shall be completed by June 1, 2026 and rules adopted pursuant to the amendatory Act shall be applied to all Phase 2C proposals, as specified under the final Order of the Commission in Docket No. 24-0158.

LRB104 19037 AAS 32482 b

**A BILL FOR**

1 AN ACT concerning regulation.

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

4 Section 5. The Public Utilities Act is amended by adding  
5 Section 4-620 as follows:

6 (220 ILCS 5/4-620 new)

7 Sec. 4-620. Regulatory Takings Assessment.

8 (a) All decarbonization pilots, pathways, or  
9 infrastructure plans under a Future of Gas proceeding pursuant  
10 to the final Order of the Commission in Docket No. 24-0158  
11 shall undergo a Regulatory Takings Assessment prior to  
12 approval. The Assessment shall be conducted by an independent  
13 third party and evaluated and confirmed by intervenors and  
14 stakeholders. The Assessment shall evaluate the following:

15 (1) whether proposed mandates, such as full  
16 electrification or renewable natural gas adoption, deprive  
17 property owners, public utilities, or customers of the  
18 economic use of existing gas infrastructure or appliances  
19 without just compensation;

20 (2) potential stranded asset values, including  
21 recovery mechanisms for non-migrating customers; and

22 (3) mitigation strategies, such as opt-out provisions  
23 or market-based transitions.

1       (b) A mandate in a decarbonization pilot, pathway, or  
2       infrastructure plan shall not be approved if the mandate risks  
3       creating a taking without compensation that is equivalent to  
4       at least 80% of depreciated asset value.

5       (c) The Commission shall coordinate with the Environmental  
6       Protection Agency to ensure the alignment of air pollution  
7       standards, as defined in Section 3.115 of the Environmental  
8       Protection Act, and shall require, by rule, uniform metrics  
9       across decarbonization pilots, pathways, and infrastructure  
10       plans, including bill impacts and equity analyses.

11       (d) Rulemaking pursuant to this Section shall be completed  
12       by June 1, 2026 and rules adopted pursuant to this Section  
13       shall be applied to all Phase 2C proposals, as specified under  
14       the final Order of the Commission in Docket No. 24-0158.