



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB5606

by Rep. Joyce Mason

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Renters' Right to Recycle Act. Requires owners of multifamily dwellings to arrange for recycling services that are appropriate to the multifamily dwelling, including, but not limited to, the provision of on-site paper, plastic, and aluminum recycling containers for tenants. Provides exceptions for multifamily dwellings with inadequate space for recycling containers, that do not have a solid waste enterprise providing recycling services that serve the location, or for which the cost of recycling services creates a financial hardship for the building owner. Directs the Environmental Protection Agency to implement, administer, and enforce the Act, adopt necessary rules, and allows residents of multifamily dwellings to file claims with the Agency stating that the owner of the unit in which the resident resides is in violation of the Act. Provides that violators of the Act's provisions may be assessed a civil penalty in an amount to be determined by the Agency. Provides that the Act does not interfere with or prevent a unit of local government from requiring recycling services for multifamily dwellings.

LRB101 17383 CPF 66788 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 Renters' Right to Recycle Act.

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

7 (1) The provision of recycling services at residential  
8 dwellings is one of the most effective means of increasing  
9 the diversion and recycling of solid waste.

10 (2) The intent of this Act is to provide convenient  
11 recycling opportunities for Illinoisans residing in  
12 multifamily dwelling units who currently do not have access  
13 to recycling services at their places of residence.

14 (3) This Act would bolster Illinois' leadership in  
15 recycling and conservation and help the State achieve its  
16 greenhouse gas reduction goals.

17 Section 10. Definitions.

18 "Agency" means the Environmental Protection Agency.

19 "Multifamily dwelling" means a dwelling which is either  
20 rented out to be occupied or is occupied as the residence or  
21 home of 5 or more families or persons living independently from  
22 each other.

1 "Solid waste enterprise" means an individual, partnership,  
2 joint venture, unincorporated private association, or other  
3 business organization regularly engaged in the business of  
4 providing solid waste handling services.

5 "Solid waste handling services" means the collection,  
6 transportation, storage, transfer, or processing of solid  
7 waste for residential, commercial, institutional, or  
8 industrial users or customers.

9 Section 15. Recycling services for multifamily dwellings.  
10 The owner of a multifamily dwelling shall arrange for recycling  
11 services that are appropriate to the multifamily dwelling,  
12 including, but not limited to, the provision of on-site paper,  
13 plastic, and aluminum recycling containers for tenants,  
14 consistent with State and local law or requirements applicable  
15 to the collection, handling, or recycling of solid waste.

16 Section 20. Exceptions. An owner of a multifamily dwelling  
17 is not required to arrange for recycling services under this  
18 Act if any of the following apply:

19 (1) There is inadequate space for recycling  
20 containers, as certified by a solid waste enterprise that  
21 would otherwise serve the multifamily dwelling. The  
22 certification required under this paragraph shall be  
23 provided to the Agency, shall be valid for no more than 5  
24 years after the date of certification, and shall include

1 all of the following:

2 (A) the address of the multifamily dwelling;

3 (B) the name, address, telephone number, and email  
4 address of the multifamily dwelling owner;

5 (C) the name, address, telephone number, business  
6 license number, and email address of the solid waste  
7 enterprise making the required certification;

8 (D) the date of certification; and

9 (E) the name and title of the person making the  
10 certification.

11 (2) No solid waste enterprise providing recycling  
12 services serves the multifamily dwelling.

13 (3) The cost of recycling services creates a financial  
14 hardship for the multifamily dwelling owner. A multifamily  
15 dwelling owner may claim a financial hardship under this  
16 paragraph only if the recycling services result in a cost  
17 increase of 30% or more over the cost of providing solid  
18 waste services alone. A claim of financial hardship under  
19 this paragraph shall be provided to the Agency, shall be  
20 valid for no more than 5 years after the date of the claim,  
21 and shall include all of the following:

22 (A) the address of the multifamily dwelling;

23 (B) the name, address, telephone number, and email  
24 address of the multifamily dwelling owner;

25 (C) the name, address, telephone number, business  
26 license number, and email address of the solid waste

1           enterprise making the required certification;  
2                   (D) the date of certification; and  
3                   (E) the name and title of the person making the  
4           certification.

5           Section 25. Administration and enforcement; rules;  
6           resident complaints.

7           (a) The Agency shall implement, administer, and enforce  
8           this Act and may adopt any rules necessary for its  
9           implementation, administration, or enforcement.

10          (b) A resident of a multifamily dwelling may file a claim  
11          with the Agency stating that the owner of the unit in which the  
12          resident resides is in violation of this Act.

13          Section 30. Violations. Any person who violates this Act,  
14          or any rule adopted by the Agency under this Act, may be  
15          assessed a civil penalty by the Agency in an amount to be  
16          determined by the Agency.

17          Section 35. Units of local government. This Act does not  
18          interfere with or prevent a unit of local government from  
19          requiring recycling services for multifamily dwellings.