



Sen. Napoleon Harris, III

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10200SB3866sam002

LRB102 24630 AMQ 36548 a

1 AMENDMENT TO SENATE BILL 3866

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3866, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Energy Transition Act is amended by  
6 changing Section 5-40 as follows:

7 (20 ILCS 730/5-40)

8 (Section scheduled to be repealed on September 15, 2045)

9 Sec. 5-40. Illinois Climate Works Preapprenticeship  
10 Program.

11 (a) Subject to appropriation, the Department shall  
12 develop, and through Regional Administrators administer, the  
13 Illinois Climate Works Preapprenticeship Program. The goal of  
14 the Illinois Climate Works Preapprenticeship Program is to  
15 create a network of hubs throughout the State that will  
16 recruit, prescreen, and provide preapprenticeship skills

1 training, for which participants may attend free of charge and  
2 receive a stipend, to create a qualified, diverse pipeline of  
3 workers who are prepared for careers in the construction and  
4 building trades and clean energy jobs opportunities therein.  
5 Upon completion of the Illinois Climate Works  
6 Preapprenticeship Program, the candidates will be connected to  
7 and prepared to successfully complete an apprenticeship  
8 program.

9 (b) Each Climate Works Hub that receives funding from the  
10 Energy Transition Assistance Fund shall provide an annual  
11 report to the Illinois Works Review Panel by April 1 of each  
12 calendar year. The annual report shall include the following  
13 information:

14 (1) a description of the Climate Works Hub's  
15 recruitment, screening, and training efforts, including a  
16 description of training related to construction and  
17 building trades opportunities in clean energy jobs;

18 (2) the number of individuals who apply to,  
19 participate in, and complete the Climate Works Hub's  
20 program, broken down by race, gender, age, and veteran  
21 status;

22 (3) the number of the individuals referenced in  
23 paragraph (2) of this subsection who are initially  
24 accepted and placed into apprenticeship programs in the  
25 construction and building trades; and

26 (4) the number of individuals referenced in paragraph

1 (2) of this subsection who remain in apprenticeship  
2 programs in the construction and building trades or have  
3 become journeymen one calendar year after their placement,  
4 as referenced in paragraph (3) of this subsection.

5 (c) Subject to appropriation, the Department shall provide  
6 funding to 3 Climate Works Hubs throughout the State,  
7 including one to the Illinois Department of Transportation  
8 Region 1, one to the Illinois Department of Transportation  
9 Regions 2 and 3, and one to the Illinois Department of  
10 Transportation Regions 4 and 5. Climate Works Hubs shall be  
11 awarded grants in multi-year increments not to exceed 36  
12 months with the opportunity for grant renewal and modification  
13 for subsequent years. The Department shall initially select a  
14 community-based provider in each region and shall subsequently  
15 select a community-based provider in each region every 3  
16 years.

17 (d) Each Climate Works Hub that receives funding from the  
18 Energy Transition Assistance Fund shall: ~~The Climate Works~~  
19 ~~Hubs shall recruit, prescreen, and provide preapprenticeship~~  
20 ~~training to equity investment eligible persons. This training~~  
21 ~~shall include information related to opportunities and~~  
22 ~~certifications relevant to clean energy jobs in the~~  
23 ~~construction and building trades.~~

24 (1) recruit, prescreen, and provide preapprenticeship  
25 training to equity investment eligible persons;

26 (2) provide training information related to

1       opportunities and certifications relevant to clean energy  
2       jobs in the construction and building trades; and

3           (3) provide preapprentices with stipends not less than  
4       the State minimum wage unless a higher wage is required by  
5       a locality where the preapprenticeship training program is  
6       sited.

7       (d-5) Priority shall be given to Climate Works Hubs that  
8       have an agreement with North American Building Trades Unions  
9       (NABTU) to utilize the Multi-Craft Core Curriculum or  
10       successor curriculums.

11       (e) Funding for the Program is subject to appropriation  
12       from the Energy Transition Assistance Fund.

13       (f) The Department shall adopt any rules deemed necessary  
14       to implement this Section.

15       (Source: P.A. 102-662, eff. 9-15-21.)

16       Section 10. The Public Utilities Act is amended by  
17       changing Sections 5-117 and 16-108.30 and by adding Section  
18       16-111.11 as follows:

19           (220 ILCS 5/5-117)

20       Sec. 5-117. Supplier diversity goals.

21       (a) The public policy of this State is to collaboratively  
22       work with companies that serve Illinois residents to improve  
23       their supplier diversity in a non-antagonistic manner.

24       (b) The Commission shall require all gas, electric, and

1 water utilities ~~companies~~ with at least 100,000 customers  
2 under its authority, ~~as well as suppliers of wind energy,~~  
3 ~~solar energy, hydroelectricity, nuclear energy, and any other~~  
4 ~~supplier of energy within this State,~~ to submit an annual  
5 report by April 15, 2015 and every April 15 thereafter, in a  
6 searchable Adobe PDF format, on all procurement goals and  
7 actual spending for female-owned, minority-owned,  
8 veteran-owned, and small business enterprises in the previous  
9 calendar year. These goals shall be expressed as a percentage  
10 of the total work performed by the entity submitting the  
11 report, and the actual spending for all female-owned,  
12 minority-owned, veteran-owned, and small business enterprises  
13 shall also be expressed as a percentage of the total work  
14 performed by the entity submitting the report.

15 (c) Each participating company in its annual report shall  
16 include the following information:

17 (1) an explanation of the plan for the next year to  
18 increase participation;

19 (2) an explanation of the plan to increase the goals;

20 (3) the areas of procurement each company shall be  
21 actively seeking more participation in the next year;

22 (3.5) a buying plan for the specific goods and  
23 services the company intends to buy in the next 6 to 18  
24 months, including any procurement codes used by the  
25 company, to assist entrepreneurs and diverse companies to  
26 understand upcoming opportunities to work with the

1       company;

2           (4) an outline of the plan to alert and encourage  
3 potential vendors in that area to seek business from the  
4 company;

5           (5) an explanation of the challenges faced in finding  
6 quality vendors and offer any suggestions for what the  
7 Commission could do to be helpful to identify those  
8 vendors;

9           (6) a list of the certifications the company  
10 recognizes;

11           (7) the point of contact for any potential vendor who  
12 wishes to do business with the company and explain the  
13 process for a vendor to enroll with the company as a  
14 minority-owned, women-owned, or veteran-owned company; and

15           (8) any particular success stories to encourage other  
16 companies to emulate best practices.

17           (d) Each annual report shall include as much  
18 State-specific data as possible. If the submitting entity does  
19 not submit State-specific data, then the company shall include  
20 any national data it does have and explain why it could not  
21 submit State-specific data and how it intends to do so in  
22 future reports, if possible.

23           (e) Each annual report shall include the rules,  
24 regulations, and definitions used for the procurement goals in  
25 the company's annual report.

26           (f) The Commission and all participating entities shall

1 hold an annual workshop open to the public in 2015 and every  
2 year thereafter on the state of supplier diversity to  
3 collaboratively seek solutions to structural impediments to  
4 achieving stated goals, including testimony from each  
5 participating entity as well as subject matter experts and  
6 advocates. The Commission shall publish a database on its  
7 website of the point of contact for each participating entity  
8 for supplier diversity, along with a list of certifications  
9 each company recognizes from the information submitted in each  
10 annual report. The Commission shall publish each annual report  
11 on its website and shall maintain each annual report for at  
12 least 5 years.

13 (Source: P.A. 102-558, eff. 8-20-21; 102-662, eff. 9-15-21;  
14 102-673, eff. 11-30-21.)

15 (220 ILCS 5/16-108.30)

16 Sec. 16-108.30. Energy Transition Assistance Fund.

17 (a) The Energy Transition Assistance Fund is hereby  
18 created as a special fund in the State Treasury. The Energy  
19 Transition Assistance Fund is authorized to receive moneys  
20 collected pursuant to this Section. Subject to appropriation,  
21 the Department of Commerce and Economic Opportunity shall use  
22 moneys from the Energy Transition Assistance Fund consistent  
23 with the purposes of this Act.

24 (b) An electric utility serving more than 500,000  
25 customers in the State shall assess an energy transition

1 assistance charge on all its retail customers for the Energy  
2 Transition Assistance Fund. The utility's total charge shall  
3 be set based upon the value determined by the Department of  
4 Commerce and Economic Opportunity pursuant to subsection (d)  
5 or (e), as applicable, of Section 605-1075 of the Department  
6 of Commerce and Economic Opportunity Law of the Civil  
7 Administrative Code of Illinois. For each utility, the charge  
8 shall be recovered through a single, uniform cents per  
9 kilowatt-hour charge applicable to all retail customers. For  
10 each utility, the charge shall not exceed 1.3% of the amount  
11 paid per kilowatthour by eligible retail ~~those~~ customers  
12 during the year ending May 31, 2009.

13 (c) Within 75 days of the effective date of this  
14 amendatory Act of the 102nd General Assembly, each electric  
15 utility serving more than 500,000 customers in the State shall  
16 file with the Illinois Commerce Commission tariffs  
17 incorporating the energy transition assistance charge in other  
18 charges stated in such tariffs, which energy transition  
19 assistance charges shall become effective no later than the  
20 beginning of the first billing cycle that begins on or after  
21 January 1, 2022. Each electric utility serving more than  
22 500,000 customers in the State shall, prior to the beginning  
23 of each calendar year starting with calendar year 2023, file  
24 with the Illinois Commerce Commission tariff revisions to  
25 incorporate annual revisions to the energy transition  
26 assistance charge as prescribed by the Department of Commerce



1 and Economic Opportunity pursuant to Section 605-1075 of the  
2 Department of Commerce and Economic Opportunity Law of the  
3 Civil Administrative Code of Illinois so that such revision  
4 becomes effective no later than the beginning of the first  
5 billing cycle in each respective year.

6 (d) The energy transition assistance charge shall be  
7 considered a charge for public utility service.

8 (e) By the 20th day of the month following the month in  
9 which the charges imposed by this Section were collected, each  
10 electric utility serving more than 500,000 customers in the  
11 State shall remit to Department of Revenue all moneys received  
12 as payment of the energy transition assistance charge on a  
13 return prescribed and furnished by the Department of Revenue  
14 showing such information as the Department of Revenue may  
15 reasonably require. If a customer makes a partial payment, a  
16 public utility may apply such partial payments first to  
17 amounts owed to the utility. No customer may be subjected to  
18 disconnection of his or her utility service for failure to pay  
19 the energy transition assistance charge.

20 If any payment provided for in this subsection exceeds the  
21 electric utility's liabilities under this Act, as shown on an  
22 original return, the Department may authorize the electric  
23 utility to credit such excess payment against liability  
24 subsequently to be remitted to the Department under this Act,  
25 in accordance with reasonable rules adopted by the Department.

26 All the provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e,

1 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13  
2 of the Retailers' Occupation Tax Act that are not inconsistent  
3 with this Act apply, as far as practicable, to the charge  
4 imposed by this Act to the same extent as if those provisions  
5 were included in this Act. References in the incorporated  
6 Sections of the Retailers' Occupation Tax Act to retailers, to  
7 sellers, or to persons engaged in the business of selling  
8 tangible personal property mean persons required to remit the  
9 charge imposed under this Act.

10 (f) The Department of Revenue shall deposit into the  
11 Energy Transition Assistance Fund all moneys remitted to it in  
12 accordance with this Section.

13 (g) The Department of Revenue may establish such rules as  
14 it deems necessary to implement this Section.

15 (h) The Department of Commerce and Economic Opportunity  
16 may establish such rules as it deems necessary to implement  
17 this Section.

18 (Source: P.A. 102-662, eff. 9-15-21.)

19 (220 ILCS 5/16-111.11 new)

20 Sec. 16-111.11. Supplier diversity reporting for  
21 non-utilities.

22 (a) The following entities shall submit an annual supplier  
23 diversity report to the Commission for a given year:

24 (1) entities that received a contract to provide more  
25 than 10,000 renewable energy credits approved by the

1 Commission in a given year pursuant to subparagraph (iii)  
2 of paragraph (5) of subsection (b) of Section 16-111.5;

3 (2) entities that received a contract to provide more  
4 than 10,000 renewable energy credits approved by the  
5 Commission in a given year pursuant to subsection (e) of  
6 Section 16-111.5;

7 (3) alternative retail electric suppliers that have  
8 yearly sales in the State of 1,000,000,000 kilowatt hours  
9 or more, and alternative gas suppliers as defined in  
10 Section 19-105 that have yearly sales in the State of  
11 1,000,000 dekatherms or more;

12 (4) entities constructing or operating an HVDC  
13 transmission line as defined in Section 1-10 of the  
14 Illinois Power Agency Act or entities constructing or  
15 operating transmission facilities under a certificate of  
16 public convenience and necessity issued pursuant to  
17 subsection (b-5) of Section 8-406;

18 (5) entities installing more than 100 energy  
19 efficiency measures with a certificate approved by the  
20 Commission pursuant to Section 16-128B; and

21 (6) other suppliers of electricity generated from any  
22 resource, including, but not limited to, hydro, nuclear,  
23 coal, natural gas, and any other supplier of energy within  
24 this State.

25 (b) An annual report filed pursuant to this Section shall  
26 be filed on an electronic form as designed by the Commission by

1 June 1, 2023 and every June 1 thereafter, in a searchable Adobe  
2 PDF format, on all procurement goals and actual spending for  
3 women-owned businesses, minority-owned businesses,  
4 veteran-owned businesses, and small business enterprises in  
5 the previous calendar year related to the performance of  
6 obligations in the State of the contracts of licenses listed  
7 in subsection (a). These goals shall be expressed as a  
8 percentage of the total work performed by the entity  
9 submitting the report. The actual spending for all women-owned  
10 businesses, minority-owned businesses, veteran-owned  
11 businesses, and small business enterprises shall also be  
12 expressed as a percentage of the total work performed by the  
13 entity submitting the report. Notwithstanding any provision of  
14 law to the contrary, any entity with obligations related to  
15 equity eligible actions pursuant to the Illinois Power Agency  
16 Act may express such goals and spending in those terms.

17 Each participating entity in its annual report shall  
18 include the following information related to the entity's  
19 operations in the State related to the certificates or  
20 activities listed in subsection (a):

21 (1) an explanation of the plan for the next year to  
22 increase participation;

23 (2) an explanation of the plan to increase the goals;

24 (3) the areas of procurement each entity shall be  
25 actively seeking more participation in the next year;

26 (4) an outline of the plan to alert and encourage

1 potential vendors in that area to seek business from the  
2 entity;

3 (5) an explanation of the challenges faced in finding  
4 quality vendors and offer any suggestions for what the  
5 Commission could do to be helpful to identify those  
6 vendors;

7 (6) a list of the certifications the entity  
8 recognizes;

9 (7) the point of contact for any potential vendor who  
10 wants to do business with the entity and explain the  
11 process for a vendor to enroll with the company as a  
12 minority-owned, women-owned, or veteran-owned company; and

13 (8) any particular success stories to encourage other  
14 entities to emulate best practices.

15 (c) Each annual report shall include as much  
16 State-specific data as possible. If the submitting entity does  
17 not submit State-specific data, then the entity shall include  
18 any national data it does have and explain why it could not  
19 submit State-specific data and how it intends to do so in  
20 future reports.

21 (d) Each annual report shall include the rules,  
22 regulations, and definitions used for the procurement goals in  
23 the entity's annual report.

24 (e) Each annual report filed or submitted under this  
25 Section shall be submitted with the Commission. The Commission  
26 shall not be required or authorized to compel production of

1 any report under this Section. The Commission shall hold an  
2 annual workshop open to the public in 2024 and every year  
3 thereafter on the state of supplier diversity to  
4 collaboratively seek solutions to structural impediments to  
5 achieving stated goals, including testimony from participating  
6 entities as well as subject matter experts and advocates in a  
7 non-antagonistic manner. The Commission shall invite all  
8 entities submitting a report pursuant to this Section. The  
9 Commission shall publish a database on its website of the  
10 point of contact for each participating entity for supplier  
11 diversity, along with a list of certifications each company  
12 recognizes from the information submitted in each annual  
13 report. The Commission shall publish each annual report on its  
14 website and shall maintain each annual report for at least 5  
15 years."