

# SB3371



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3371

Introduced 2/7/2024, by Sen. Ann Gillespie

### SYNOPSIS AS INTRODUCED:

430 ILCS 15/7

from Ch. 127 1/2, par. 159

Amends the Gasoline Storage Act. Provides that, if a leak of petroleum or a petroleum product occurs from a storage tank regulated by the Act and if the leak results in injury to any person or damage to any person's property, then the owner of the storage tank is strictly liable in civil damages to the person for the full amount of the injury or property damage proximately caused by the leak. Provides that the civil damages are in addition to damages under the Hazardous Material Emergency Response Reimbursement Act.

LRB103 39356 BDA 69519 b

A BILL FOR

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 5. The Gasoline Storage Act is amended by changing  
5 Section 7 as follows:

6 (430 ILCS 15/7) (from Ch. 127 1/2, par. 159)

7 Sec. 7. (a) A violation of:

8 (1) paragraph (a) or (b) of subsection (3) of Section  
9 2 of this Act is a business offense punishable by a fine of  
10 not more than \$10,000 per day;

11 (2) (blank);

12 (3) Section 4 of this Act is a business offense  
13 punishable by a fine of not more than \$10,000 per day;

14 (3.5) Section 3.5 of this Act is a business offense  
15 punishable by fine of not more than \$10,000 per offense;

16 (4) an administrative order as described in paragraph  
17 (e) of subsection (3) of Section 2, paragraph (b) of  
18 subsection (4) of Section 2 or subsection (c) of Section 6  
19 after it has become final is a business offense punishable  
20 by a fine of not less than \$1,000 nor more than \$25,000 per  
21 day;

22 (5) any other rule promulgated by the Office of the  
23 State Fire Marshal is a business offense punishable by a

1 fine of not less than \$100 nor more than \$1,000 for each  
2 offense or each day of continued violation.

3 (b) If a leak of petroleum or a petroleum product occurs  
4 from any storage tank regulated by this Act or rules adopted  
5 under this Act, be it aboveground or underground, and if the  
6 leak results in injury to any person or damage to any person's  
7 property, then the owner of the storage tank is strictly  
8 liable in civil damages to the person for the full amount of  
9 the injury or property damage proximately caused by the leak.  
10 Damages paid by those liable under this subsection are to be  
11 paid in addition to any damages required to be paid under the  
12 Hazardous Material Emergency Response Reimbursement Act  
13 ~~(Blank).~~

14 (c) A civil action to recover such fines may be brought by  
15 the Attorney General or the State's Attorney of the county in  
16 which the violation occurred.

17 (d) Any monies received by the State under this Section  
18 shall be deposited into the Underground Storage Tank Fund.

19 (Source: P.A. 92-618, eff. 7-11-02.)