



Rep. Shane Cultra

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LRB094 17208 RSP 55900 a

1 AMENDMENT TO HOUSE BILL 5503

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5503 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Renewable Fuels Development  
5 Program Act is amended by changing Sections 5 and 10 and by  
6 adding Section 27 as follows:

7 (20 ILCS 689/5)

8 Sec. 5. Findings and State policy. The General Assembly  
9 recognizes that agriculture is a vital sector of the Illinois  
10 economy and that an important growth industry for the Illinois  
11 agricultural sector is renewable fuels production. Renewable  
12 fuels produced from Illinois agricultural products hold great  
13 potential for growing the State's economy, reducing our  
14 dependence on foreign oil supplies, and improving the  
15 environment by reducing harmful emissions from vehicles.  
16 Illinois is the nation's leading producer of ethanol, a clean,  
17 renewable fuel with significant environmental benefits. The  
18 General Assembly finds that reliable supplies of renewable  
19 fuels will be integral to the long term energy security of the  
20 United States. The General Assembly declares that it is the  
21 public policy of the State of Illinois to promote and encourage  
22 the production and use of renewable fuels as a means not only  
23 to improve air quality in the State and the nation, but also to  
24 increase the size of ~~grow~~ the agricultural sector of the

1 Illinois economy. To achieve these public policy objectives,  
2 the General Assembly hereby authorizes the creation and  
3 implementation of the Illinois Renewable Fuels Development  
4 Program within the Department.

5 (Source: P.A. 93-15, eff. 6-11-03.)

6 (20 ILCS 689/10)

7 Sec. 10. Definitions. As used in this Act:

8 "Biodiesel" means a renewable diesel fuel derived from  
9 biomass that is intended for use in diesel engines.

10 "Biodiesel blend" means a blend of biodiesel with  
11 petroleum-based diesel fuel in which the resultant product  
12 contains no less than 1% and no more than 99% biodiesel.

13 "Biomass" means non-fossil organic materials that have an  
14 intrinsic chemical energy content. "Biomass" includes, but is  
15 not limited to, soybean oil, other vegetable oils, and ethanol.

16 "Department" means the Department of Commerce and Economic  
17 Opportunity ~~Community Affairs~~.

18 "Diesel fuel" means any product intended for use or offered  
19 for sale as a fuel for engines in which the fuel is injected  
20 into the combustion chamber and ignited by pressure without  
21 electric spark.

22 "Director" means the Director of Commerce and Economic  
23 Opportunity ~~Community Affairs~~.

24 "Ethanol" means a product produced from agricultural  
25 commodities or by-products used as a fuel or to be blended with  
26 other fuels for use in motor vehicles.

27 "Flexible fuel vehicle" has the meaning set forth in  
28 Section 22 of the Alternate Fuels Act.

29 "Fuel" means fuel as defined in Section 1.19 of the Motor  
30 Fuel Tax Law.

31 "Gasohol" means motor fuel that is no more than 90%  
32 gasoline and at least 10% denatured ethanol that contains no  
33 more than 1.25% water by weight.

1 "Gasoline" means all products commonly or commercially  
2 known or sold as gasoline (including casing head and absorption  
3 or natural gasoline).

4 "Illinois agricultural product" means any agricultural  
5 commodity grown in Illinois that is used by a production  
6 facility to produce renewable fuel in Illinois, including, but  
7 not limited to, corn, barley, and soy beans.

8 "Labor Organization" means any organization defined as a  
9 "labor organization" under Section 2 of the National Labor  
10 Relations Act (29 U.S.C. 152).

11 "Majority blended ethanol fuel" means motor fuel that  
12 contains no less than 70% and no more than 90% denatured  
13 ethanol and no less than 10% and no more than 30% gasoline.

14 "Motor vehicles" means motor vehicles as defined in the  
15 Illinois Vehicle Code and watercraft propelled by an internal  
16 combustion engine.

17 "Owner" means any individual, sole proprietorship, limited  
18 partnership, co-partnership, joint venture, corporation,  
19 cooperative, or other legal entity, including its agents, that  
20 operates or will operate a plant located within the State of  
21 Illinois.

22 "Plant" means a production facility that produces a  
23 renewable fuel. "Plant" includes land, any building or other  
24 improvement on or to land, and any personal properties deemed  
25 necessary or suitable for use, whether or not now in existence,  
26 in the processing of fuel from agricultural commodities or  
27 by-products.

28 "Renewable fuel" means ethanol, gasohol, majority blended  
29 ethanol fuel, biodiesel blend fuel, and biodiesel.

30 (Source: P.A. 93-15, eff. 6-11-03; 93-618, eff. 12-11-03;  
31 revised 12-6-03.)

32 (20 ILCS 689/27 new)

33 Sec. 27. E85 Market Expansion Program.

1       (a) The Department shall, subject to appropriation, create  
2 and administer the E85 Market Expansion Program. Under this  
3 program, the Department must solicit and collect applications  
4 from persons who have purchased a new flexible fuel vehicle  
5 within the 12-month period prior to submitting the application.  
6 Approved applicants shall be eligible for Program  
7 distributions.

8       (b) The Program shall distribute debit cards, credit cards,  
9 E85 coupons, or some other form of negotiable instrument as  
10 determined by the Department that authorizes the approved  
11 applicant \$500 in credit towards the purchase price of E85 fuel  
12 purchased within Illinois. Only one distribution shall be made  
13 to the owner of any vehicle during the life of that vehicle.

14       (c) The E85 Market Expansion Fund is established as a  
15 special fund in the State treasury. Moneys in the Fund may be  
16 used, subject to appropriation, only for the purposes set forth  
17 in this Section. Interest earned on moneys in the Fund must be  
18 deposited into the Fund. The Department may retain 5% of the  
19 moneys in the Fund for administrative costs of the Program.

20       (d) The Department shall have access to Secretary of State  
21 motor vehicle registration records and other State records to  
22 enable verification of these applications.

23       (e) The Department shall adopt necessary rules for the  
24 implementation of this Section, including rules for the  
25 solicitation, collection, and approval of applications and for  
26 the operation of the program distributions.

27       Section 10. The State Finance Act is amended by adding  
28 Section 5.663 as follows:

29       (30 ILCS 105/5.663 new)

30       Sec. 5.663. E85 Market Expansion Fund.

31       Section 99. Effective date. This Act takes effect upon

1 becoming law.".