

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 Environmental Protection Act is amended by
5 adding Section 57.8a as follows:

6 (415 ILCS 5/57.8a new)

7 Sec. 57.8a. Assignment of payments from the Underground
8 Storage Tank Fund.

9 (a) If the Agency has formed a priority list for payment
10 under Section 57.8(a)(3) of this Act, an owner or operator on
11 the priority list may assign to any bank, financial
12 institution, lender, or other person that provides factoring or
13 financing to an owner or operator or to a consultant of an
14 owner or operator a full approved payment amount on the
15 priority list for which the owner or operator is awaiting
16 payment. The assignment must be made on an approved
17 payment-by-approved payment basis and must be made on forms
18 prescribed by the Agency. No assignment under this Section
19 prevents or affects the right of the State Comptroller to make
20 the deductions and off-sets provided in Section 10.05 of the
21 State Comptroller Act.

22 (b) The making of an assignment under this Section shall
23 not affect an owner's or operator's right to appeal an Agency

1 decision as provided in this Title. No assignee shall have a
2 right to appeal an Agency decision as provided in this Title.

3 (c) An owner's or operator's assignment under this Section
4 is irrevocable and may be made to only one assignee. The State
5 shall pay the assigned amount, subject to right of the State
6 Comptroller to make the deductions and off-sets provided in
7 Section 10.05 of the State Comptroller Act, to this one
8 assignee only and shall not pay the assigned amount to any
9 subsequent assignee of the one assignee.

10 (d) The State and its officers and employees are discharged
11 of all liability upon payment of the assigned amount to the
12 assignee. The assignor and assignee shall hold harmless and
13 indemnify the State and its officers and employees from all
14 claims, actions, suits, complaints, and liabilities related to
15 the assignment.

16 (e) An assignee may use funds received for any purpose
17 including, without limitation, paying principal, interest, or
18 other costs due on any financing made by the assignee. To the
19 extent an owner or operator incurs costs associated with making
20 an assignment under this Section, the owner or operator may not
21 seek reimbursement of those costs from the Fund.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.