



Sen. Pamela J. Althoff

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09500HB3728sam003

LRB095 11446 CMK 38144 a

1 AMENDMENT TO HOUSE BILL 3728

2 AMENDMENT NO. _____. Amend House Bill 3728 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Private Sewage Disposal Licensing Act is
5 amended by changing Section 8 as follows:

6 (225 ILCS 225/8) (from Ch. 111 1/2, par. 116.308)

7 Sec. 8.

8 (a) In addition to promulgating and publishing the private
9 sewage disposal code, the Department has the following powers
10 and duties:

11 (1) Make such inspections as are necessary to determine
12 satisfactory compliance with this Act and the private
13 sewage disposal code.

14 (2) Cause investigations to be made when a violation of
15 any provisions of this Act or the private sewage disposal
16 code is reported to the Department.

1 (3) Subject to constitutional limitations, by its
2 representatives after identification, enter at reasonable
3 times upon private or public property for the purpose of
4 inspecting and investigating conditions relating to the
5 administration and enforcement of this Act and the private
6 sewage disposal code.

7 (4) Institute or cause to be instituted legal
8 proceedings in the circuit court by the State's Attorney of
9 the county where such non-compliance occurred or by the
10 Attorney General of the State of Illinois in cases of
11 non-compliance with the provisions of this Act and the
12 private sewage disposal code.

13 (5) Evaluate all Experimental Use Permits in existence
14 on the effective date of this amendatory Act of the 95th
15 General Assembly in accordance with the established
16 conditions of approval for each permit. After the date of
17 approval, the Department shall not issue any new
18 Experimental Use Permits, but may instead issue site
19 specific approval for performance based systems in
20 accordance with this Section ~~Authorize the trial or~~
21 ~~experimental use of new innovative systems for private~~
22 ~~sewage disposal, upon such conditions as the Department may~~
23 ~~set.~~

24 (6) Adopt minimum performance standards for private
25 sewage disposal system contractors.

26 (7) Issue an annual license to every applicant who

1 complies with the requirements of this Act and the private
2 sewage disposal code and who pays the required annual
3 license fee.

4 (8) Collect an annual license fee in an amount
5 determined by the Department from each contractor and any
6 examination and reinstatement fees.

7 (9) Prescribe rules of procedure for hearings
8 following denial, suspension or revocation of licenses as
9 provided in this Act.

10 (10) The Department may review alternative technology
11 and operational data from the appropriate state agency of
12 another state, from another government entity, or from an
13 independent testing organization to determine whether
14 approval of components or private sewage disposal systems
15 within the State is appropriate. The request for approval
16 shall be made on forms approved by the Department.

17 (b) The Director shall authorize the use of appropriate new
18 innovative wastewater treatment systems to best protect public
19 health, the environment, and the natural resources of the
20 State.

21 (Source: P.A. 85-1261.)

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