

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

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

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

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

16 (3) Subject to constitutional limitations, by its  
17 representatives after identification, enter at reasonable  
18 times upon private or public property for the purpose of  
19 inspecting and investigating conditions relating to the  
20 administration and enforcement of this Act and the private  
21 sewage disposal code.

22 (4) Institute or cause to be instituted legal  
23 proceedings in the circuit court by the State's Attorney of

1 the county where such non-compliance occurred or by the  
2 Attorney General of the State of Illinois in cases of  
3 non-compliance with the provisions of this Act and the  
4 private sewage disposal code.

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

16 (6) Adopt minimum performance standards for private  
17 sewage disposal system contractors.

18 (7) Issue an annual license to every applicant who  
19 complies with the requirements of this Act and the private  
20 sewage disposal code and who pays the required annual  
21 license fee.

22 (8) Collect an annual license fee in an amount  
23 determined by the Department from each contractor and any  
24 examination and reinstatement fees.

25 (9) Prescribe rules of procedure for hearings  
26 following denial, suspension or revocation of licenses as

1 provided in this Act.

2 (10) The Department may review alternative technology  
3 and operational data from the appropriate state agency of  
4 another state, from another government entity, or from an  
5 independent testing organization to determine whether  
6 approval of components or private sewage disposal systems  
7 within the State is appropriate. The request for approval  
8 shall be made on forms approved by the Department.

9 (b) The Director shall authorize the use of appropriate new  
10 innovative wastewater treatment systems to best protect public  
11 health, the environment, and the natural resources of the  
12 State.

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

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.