

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.