

1 AN ACT in relation to drycleaning.

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

4 Section 5. The Drycleaner Environmental Response Trust
5 Fund Act is amended by changing Section 10 as follows:

6 (415 ILCS 135/10)

7 Sec. 10. The Drycleaner Environmental Response Trust
8 Fund.

9 (a) The Drycleaner Environmental Response Trust Fund is
10 created as a special fund in the State Treasury. Moneys
11 deposited into the Fund shall be used solely for the purposes
12 of the Council and for other purposes as provided in this
13 Act. The Fund shall include moneys credited to the Fund
14 under this Act and other moneys that by law may be credited
15 to the Fund. The State Treasurer may invest Funds deposited
16 into the Fund at the direction of the Council. Interest,
17 income from the investments, and other income earned by the
18 Fund shall be credited to and deposited into the Fund.

19 Pursuant to appropriation, all moneys in the Drycleaner
20 Environmental Response Trust Fund shall be disbursed by the
21 Agency to the Council for the purpose of making
22 disbursements, if any, in accordance with this Act and for
23 the purpose of paying the ordinary and contingent expenses of
24 the Council. After June 30, 1999, pursuant to appropriation,
25 all moneys in the Drycleaner Environmental Response Trust
26 Fund may be used by the Council for the purpose of making
27 disbursements, if any, in accordance with this Act and for
28 the purpose of paying the ordinary and contingent expenses of
29 the Council.

30 The Fund may be divided into different accounts with
31 different depositories to fulfill the purposes of the Act as

1 determined by the Council.

2 Moneys in the Fund at the end of a State fiscal year
3 shall be carried forward to the next fiscal year and shall
4 not revert to the General Revenue Fund.

5 (b) The specific purposes of the Fund include but are
6 not limited to the following:

7 (1) To establish an account to fund remedial action
8 of drycleaning solvent releases from drycleaning
9 facilities as provided by Section 40.

10 (2) To establish an insurance account for insuring
11 environmental risks from releases from drycleaning
12 facilities within this State as provided by Section 45.

13 (c) The State, the General Revenue Fund, and any other
14 Fund of the State, other than the Drycleaner Environmental
15 Response Trust Fund, shall not be liable for a claim or cause
16 of action in connection with a drycleaning facility not owned
17 or operated by the State or an agency of the State. All
18 expenses incurred by the Fund shall be payable solely from
19 the Fund and no liability or obligation shall be imposed upon
20 the State. The State is not liable for a claim presented
21 against the Fund.

22 (d) The liability of the Fund is limited to the extent
23 of coverage provided by the account under which a claim is
24 submitted, subject to the terms and conditions of that
25 coverage. The liability of the Fund is further limited by
26 the moneys made available to the Fund, and no remedy shall be
27 ordered that would require the Fund to exceed its then
28 current funding limitations to satisfy an award or which
29 would restrict the availability of moneys for higher priority
30 sites.

31 (e) Nothing in this Act shall be construed to limit,
32 restrict, or affect the authority and powers of the Agency or
33 another State agency or statute unless the State agency or
34 statute is specifically referenced and the limitation is

1 clearly set forth in this Act.

2 (Source: P.A. 90-502, eff. 8-19-97; 91-453, eff. 8-6-99.)