



Sen. Terry Link

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LRB097 17154 JDS 67876 a

1 AMENDMENT TO SENATE BILL 3442

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3442 as follows:

3 on page 8, line 8, immediately after "Illinois," by inserting  
4 "the percentage of plastic carryout bags and plastic film  
5 product wrap collected and processed for recycling based on the  
6 weight in pounds of plastic carryout bags and plastic film  
7 product wrap collected and processed for recycling and the  
8 weight in pounds of plastic carryout bags sold for use or  
9 distribution in Illinois,"; and

10 on page 8, by replacing line 13 with "sold for use or  
11 distribution in Illinois. Additional requirements for specific  
12 annual reports include:

13 (1) a demonstration in the annual report for calendar  
14 year 2014 that 75% of the population in Illinois resides  
15 within 10 miles of a plastic carryout bag and plastic film  
16 product wrap collection site, and that collection sites are

1 located in at least 90% of Illinois counties;

2 (2) a demonstration in the annual report for calendar  
3 year 2015 that 80% of the population in Illinois resides  
4 within 10 miles of a plastic carryout bag and plastic film  
5 product wrap collection site; and

6 (3) a demonstration in the annual report for calendar  
7 year 2015 that the percentage of plastic carryout bags and  
8 plastic film product wrap recycled increased by at least  
9 10% from the recycling rate calculated in the annual report  
10 for calendar year 2014.

11 If these additional requirements cannot be demonstrated in  
12 the appropriate annual reports, the penalties under Section 50  
13 of this Act shall be applicable."; and

14 on page 11, by replacing lines 11 through 13, with "a civil  
15 penalty not to exceed \$1,000. The penalties provided for in  
16 this Section may be"; and

17 on page 12, by replacing lines 12 through 20 with the  
18 following:

19 Section 65. "Home rule.

20 (a) Except in home rule units with a population of over  
21 2,000,000, the regulation of the collection and recycling of  
22 plastic carryout bags and film, including any effort to  
23 regulate through the imposition of a ban on those items, is an

1 exclusive power and function of the State. A home rule unit,  
2 other than a home rule unit with a population of over  
3 2,000,000, may not regulate the collection and recycling of  
4 plastic carryout bags and film. This subsection (a) is a denial  
5 and limitation of home rule powers and functions under  
6 subsection (h) of Section 6 of Article VII of the Illinois  
7 Constitution.

8 (b) A home rule unit, other than a home rule unit with a  
9 population of over 2,000,000, may not tax the collection and  
10 recycling of plastic carryout bags and film. This subsection  
11 (b) is a denial and limitation of home rule powers and  
12 functions under subsection (g) of Section 6 of Article VII of  
13 the Illinois Constitution."