

1 AN ACT concerning safety.

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

4 Section 5. The Environmental Protection Act is amended by  
5 changing Section 22.23 and by adding Section 22.23d as follows:

6 (415 ILCS 5/22.23) (from Ch. 111 1/2, par. 1022.23)

7 Sec. 22.23. Batteries.

8 (a) Beginning September 1, 1990, any person selling  
9 lead-acid batteries at retail or offering lead-acid batteries  
10 for retail sale in this State shall:

11 (1) accept for recycling used lead-acid batteries from  
12 customers, at the point of transfer, in a quantity equal to  
13 the number of new batteries purchased; and

14 (2) post in a conspicuous place a written notice at  
15 least 8.5 by 11 inches in size that includes the universal  
16 recycling symbol and the following statements: "DO NOT put  
17 motor vehicle batteries in the trash."; "Recycle your used  
18 batteries."; and "State law requires us to accept motor  
19 vehicle batteries for recycling, in exchange for new  
20 batteries purchased."

21 (b) Any person selling lead-acid batteries at retail in  
22 this State may either charge a recycling fee on each new  
23 lead-acid battery sold for which the customer does not return a

1 used battery to the retailer, or provide a recycling credit to  
2 each customer who returns a used battery for recycling at the  
3 time of purchasing a new one.

4 (c) Beginning September 1, 1990, no lead-acid battery  
5 retailer may dispose of a used lead-acid battery except by  
6 delivering it (1) to a battery wholesaler or its agent, (2) to  
7 a battery manufacturer, (3) to a collection or recycling  
8 facility that accepts lead-acid batteries, or (4) to a  
9 secondary lead smelter permitted by either a state or federal  
10 environmental agency.

11 (d) Any person selling lead-acid batteries at wholesale or  
12 offering lead-acid batteries for sale at wholesale shall accept  
13 for recycling used lead-acid batteries from customers, at the  
14 point of transfer, in a quantity equal to the number of new  
15 batteries purchased. Such used batteries shall be disposed of  
16 as provided in subsection (c).

17 (e) A person who accepts used lead-acid batteries for  
18 recycling pursuant to subsection (a) or (d) shall not allow  
19 such batteries to accumulate for periods of more than 90 days.

20 (f) Beginning September 1, 1990, no person may knowingly  
21 cause or allow:

22 (1) the placing of a lead-acid battery into any  
23 container intended for collection and disposal at a  
24 municipal waste sanitary landfill; or

25 (2) the disposal of any lead-acid battery in any  
26 municipal waste sanitary landfill or incinerator.

1       (f-5) Beginning January 1, 2020, no person shall knowingly  
2       mix a lead-acid battery with any other material intended for  
3       collection as a recyclable material by a hauler.

4       Beginning January 1, 2020, no person shall knowingly place  
5       a lead-acid battery into a container intended for collection by  
6       a hauler for processing at a recycling center.

7       (g) (Blank).

8       (h) For the purpose of this Section:

9       "Lead-acid battery" means a battery containing lead and  
10      sulfuric acid that has a nominal voltage of at least 6 volts  
11      and is intended for use in motor vehicles.

12      "Motor vehicle" includes automobiles, vans, trucks,  
13      tractors, motorcycles and motorboats.

14      (i) (Blank).

15      (j) Knowing violation of this Section shall be a petty  
16      offense punishable by a fine of \$100.

17      (Source: P.A. 100-621, eff. 7-20-18.)

18      (415 ILCS 5/22.23d new)

19      Sec. 22.23d. Rechargeable batteries.

20      (a) "Rechargeable battery" means one or more voltaic or  
21      galvanic cells, electrically connected to produce electric  
22      energy, that is designed to be recharged for repeated uses.

23      "Rechargeable battery" includes, but is not limited to, a  
24      battery containing lithium ion, lithium metal, or lithium  
25      polymer or that uses lithium as an anode or cathode, that is

1 designed to be recharged for repeated uses. "Rechargeable  
2 battery" does not mean either of the following:

3 (1) Any dry cell battery that is used as the principal  
4 power source for transportation, including, but not  
5 limited to, automobiles, motorcycles, or boats.

6 (2) Any battery that is used only as a backup power  
7 source for memory or program instruction storage,  
8 timekeeping, or any similar purpose that requires  
9 uninterrupted electrical power in order to function if the  
10 primary energy supply fails or fluctuates momentarily.

11 (b) Unless expressly authorized by a recycling collection  
12 program, beginning January 1, 2020 no person shall knowingly  
13 mix a rechargeable battery or any appliance, device, or other  
14 item that contains a rechargeable battery with any other  
15 material intended for collection by a hauler as a recyclable  
16 material.

17 Unless expressly authorized by a recycling collection  
18 program, beginning January 1, 2020, no person shall knowingly  
19 place a rechargeable battery or any appliance, device, or other  
20 item that contains a rechargeable battery into a container  
21 intended for collection by a hauler for processing at a  
22 recycling center.

23 (c) The Agency shall include on its website information  
24 regarding the recycling of rechargeable batteries.

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.