



Rep. Ann M. Williams

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10100HB2296ham001

LRB101 04552 CPF 57349 a

1 AMENDMENT TO HOUSE BILL 2296

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2296 by replacing  
3 everything after the enacting clause with the following:

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

1 motor vehicle batteries in the trash."; "Recycle your used  
2 batteries."; and "State law requires us to accept motor  
3 vehicle batteries for recycling, in exchange for new  
4 batteries purchased."

5 (b) Any person selling lead-acid batteries at retail in  
6 this State may either charge a recycling fee on each new  
7 lead-acid battery sold for which the customer does not return a  
8 used battery to the retailer, or provide a recycling credit to  
9 each customer who returns a used battery for recycling at the  
10 time of purchasing a new one.

11 (c) Beginning September 1, 1990, no lead-acid battery  
12 retailer may dispose of a used lead-acid battery except by  
13 delivering it (1) to a battery wholesaler or its agent, (2) to  
14 a battery manufacturer, (3) to a collection or recycling  
15 facility that accepts lead-acid batteries, or (4) to a  
16 secondary lead smelter permitted by either a state or federal  
17 environmental agency.

18 (d) Any person selling lead-acid batteries at wholesale or  
19 offering lead-acid batteries for sale at wholesale shall accept  
20 for recycling used lead-acid batteries from customers, at the  
21 point of transfer, in a quantity equal to the number of new  
22 batteries purchased. Such used batteries shall be disposed of  
23 as provided in subsection (c).

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

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

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

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

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

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

14 (g) (Blank).

15 (h) For the purpose of this Section:

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

19 "Motor vehicle" includes automobiles, vans, trucks,  
20 tractors, motorcycles and motorboats.

21 (i) (Blank.)

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

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

25 (415 ILCS 5/22.23d new)

1       Sec. 22.23d. Rechargeable batteries.

2       (a) "Rechargeable battery" means any battery containing  
3 lithium ion, lithium metal, or lithium polymer or that uses  
4 lithium as an anode or cathode, is designed for reuse, and is  
5 capable of being recharged after repeated uses. "Rechargeable  
6 battery" does not mean either of the following:

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

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

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

21       Unless expressly authorized as part of a recycling  
22 collection program, beginning January 1, 2020, no person shall  
23 knowingly place a rechargeable battery or any appliance,  
24 device, or other item that contains a rechargeable battery into  
25 a container intended for collection by a hauler for processing  
26 at a recycling center.

1       (c) The Agency shall include on its website information  
2 regarding the collection and recycling of rechargeable  
3 batteries and undertake other communications to educate the  
4 public regarding the collection and recycling of rechargeable  
5 batteries.

6       The Agency shall encourage the waste industry, recyclers,  
7 haulers, local governments, and other stakeholders to  
8 collaborate on educating the public regarding the collection  
9 and recycling of rechargeable batteries.

10       Section 99. Effective date. This Act takes effect upon  
11 becoming law.".