



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4772

Introduced 2/18/2020, by Rep. Stephanie A. Kifowit

SYNOPSIS AS INTRODUCED:

20 ILCS 2705/2705-575	was 20 ILCS 2705/49.28
30 ILCS 105/5.107 rep.	
30 ILCS 105/6p-3	from Ch. 127, par. 142p3
30 ILCS 105/8.8a	from Ch. 127, par. 144.8a
30 ILCS 605/7b	
415 ILCS 20/3	from Ch. 111 1/2, par. 7053

Amends the Department of Transportation Law of the Civil Administrative Code of Illinois. Removes the sealed bid sale requirement for the sale of used State-owned vehicles to units of local government. Amends the State Finance Act. Provides that beginning July 1, 2020, the fees and other moneys received by the Department of Central Management Services from the sale or transfer of surplus or transferable property shall be paid into the General Revenue Fund (rather than the State Surplus Property Revolving Fund), and such appropriations for the sale or transfer of surplus or transferable property shall be paid from the General Revenue Fund (rather than the State Surplus Property Revolving Fund). Provides for the transfer of the remaining balance, including future deposits, from the State Surplus Property Revolving Fund into the General Revenue Fund. Repeals the State Surplus Property Revolving Fund. Amends the State Property Control Act. Modifies requirements concerning the proceeds received by the Department of Central Management from the sale of vehicles operated by the Department of State Police. Makes conforming and other changes. Effective July 1, 2020.

LRB101 18131 RJF 67571 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Department of Transportation Law of the
5 Civil Administrative Code of Illinois is amended by changing
6 Section 2705-575 as follows:

7 (20 ILCS 2705/2705-575) (was 20 ILCS 2705/49.28)

8 Sec. 2705-575. Sale of used vehicles. Whenever the
9 Department has deemed a vehicle shall be replaced, it shall
10 notify the Division of Property Control of the Department of
11 Central Management Services and the Division of Vehicles of the
12 Department of Central Management Services for potential
13 reallocation of the vehicle to another State agency through
14 inter-agency transfer per standard fleet vehicle allocation
15 procedures. If the vehicle is not re-allocated for use into the
16 State fleet or agencies by the Division of Property Control or
17 the Division of Vehicles of the Department of Central
18 Management Services, the Department shall make the vehicle
19 available to those units of local government that have
20 previously requested the notification and provide them the
21 opportunity to purchase the vehicle ~~through a sealed bid sale.~~
22 Any proceeds from the sale of ~~the~~ vehicles pursuant to this
23 Section ~~to units of local government~~ shall be deposited in the

1 Road Fund. The term "vehicle" as used in this Section is
2 defined to include passenger automobiles, light duty trucks,
3 heavy duty trucks, and other self-propelled motorized
4 equipment in excess of 25 horsepower and attachments.

5 (Source: P.A. 97-42, eff. 1-1-12; 98-721, eff. 7-16-14.)

6 (30 ILCS 105/5.107 rep.)

7 Section 10. The State Finance Act is amended by repealing
8 Section 5.107.

9 Section 15. The State Finance Act is amended by changing
10 Sections 6p-3 and 8.8a as follows:

11 (30 ILCS 105/6p-3) (from Ch. 127, par. 142p3)

12 Sec. 6p-3. (a) The State Surplus Property Revolving Fund
13 shall be initially financed by a transfer of funds from the
14 General Revenue Fund. All ~~Thereafter all~~ fees and other monies
15 received by the Department of Central Management Services from
16 the sale or transfer of surplus or transferable property
17 pursuant to the State Property Control Act and the federal
18 Surplus Property Act ~~"State Property Control Act" and "An Act~~
19 ~~to create and establish a State Agency for Federal Surplus~~
20 ~~Property, to prescribe its powers, duties and functions",~~
21 ~~approved August 2, 1965, as amended,~~ shall be paid into the
22 State Surplus Property Revolving Fund until June 30, 2020, and
23 shall be paid into the General Revenue Fund beginning July 1,

1 2020.

2 Except as provided in paragraph (e) of this Section, the
3 money in this fund shall be used by the Department of Central
4 Management Services as reimbursement for expenditures incurred
5 in relation to the sale of surplus or transferable property.

6 (b) (Blank). ~~If at the end of the lapse period the balance~~
7 ~~in the State Surplus Property Revolving Fund exceeds the amount~~
8 ~~of \$1,000,000, all monies in excess of that amount shall be~~
9 ~~transferred and deposited into the General Revenue Fund.~~

10 (c) Provided, however, that the fund established by this
11 Section shall contain a separate account for the deposit of all
12 proceeds resulting from the sale of Federal surplus property,
13 and the proceeds of this separate account shall be used solely
14 to reimburse the Department of Central Management Services for
15 expenditures incurred in relation to the sale of Federal
16 surplus property.

17 (d) Any funds on deposit in the State Agency for Surplus
18 Property Utilization Fund on the effective date of this
19 amendatory Act of 1983 shall be transferred to the Federal
20 account of the State Surplus Property Revolving Fund.

21 (e) (Blank).

22 (f) Notwithstanding any other provision of law to the
23 contrary, and in addition to any other transfers that may be
24 provided by law, on July 1, 2020, or after sufficient moneys
25 have been received in the State Surplus Property Revolving Fund
26 to pay all Fiscal Year 2020 obligations payable from the Fund,

1 whichever is later, the State Comptroller shall direct and the
2 State Treasurer shall transfer the remaining balance from the
3 State Surplus Property Revolving Fund into the General Revenue
4 Fund. Upon completion of the transfer, any future deposits due
5 to the State Surplus Property Revolving Fund, and any
6 outstanding obligations or liabilities of that Fund, shall pass
7 to the General Revenue Fund.

8 (Source: P.A. 99-933, eff. 1-27-17.)

9 (30 ILCS 105/8.8a) (from Ch. 127, par. 144.8a)

10 Sec. 8.8a. Appropriations for the sale or transfer of
11 surplus or transferable property by the Department of Central
12 Management Services, and for all other expenses incident to the
13 handling, transportation, maintenance and storage of such
14 surplus property, including personal services and contractual
15 services connected therewith and for expenses incident to the
16 establishment and operation of wastepaper recycling programs
17 by the Department, are payable from the State Surplus Property
18 Revolving Fund through the end of State fiscal year 2020, and
19 shall be payable from the General Revenue Fund beginning in
20 State fiscal year 2021.

21 (Source: P.A. 85-1197.)

22 Section 20. The State Property Control Act is amended by
23 changing Section 7b as follows:

1 (30 ILCS 605/7b)

2 Sec. 7b. Maintenance and operation of State Police
3 vehicles. All proceeds received by the Department of Central
4 Management Services under this Act from the sale of vehicles
5 operated by the Department of State Police, ~~except for a \$500~~
6 ~~handling fee to be retained by the Department of Central~~
7 ~~Management Services for each vehicle sold,~~ shall be deposited
8 into the State Police Vehicle Maintenance Fund. ~~However, in~~
9 ~~lieu of the \$500 handling fee as provided by this paragraph,~~
10 ~~the Department of Central Management Services shall retain all~~
11 ~~proceeds from the sale of any vehicle for which \$500 or a~~
12 ~~lesser amount is collected.~~

13 The State Police Vehicle Maintenance Fund is created as a
14 special fund in the State treasury. All moneys in the State
15 Police Vehicle Maintenance Fund, subject to appropriation,
16 shall be used by the Department of State Police for the
17 maintenance and operation of vehicles for that Department.

18 (Source: P.A. 94-839, eff. 6-6-06.)

19 Section 25. The Illinois Solid Waste Management Act is
20 amended by changing Section 3 as follows:

21 (415 ILCS 20/3) (from Ch. 111 1/2, par. 7053)

22 Sec. 3. State agency materials recycling program.

23 (a) All State agencies responsible for the maintenance of
24 public lands in the State shall, to the maximum extent

1 feasible, use compost materials in all land maintenance
2 activities which are to be paid with public funds.

3 (a-5) All State agencies responsible for the maintenance of
4 public lands in the State shall review its procurement
5 specifications and policies to determine (1) if incorporating
6 compost materials will help reduce stormwater run-off and
7 increase infiltration of moisture in land maintenance
8 activities and (2) the current recycled content usage and
9 potential for additional recycled content usage by the Agency
10 in land maintenance activities and report to the General
11 Assembly by December 15, 2015.

12 (b) The Department of Central Management Services, in
13 coordination with the Department of Commerce and Economic
14 Opportunity, shall implement waste reduction programs,
15 including source separation and collection, for office
16 wastepaper, corrugated containers, newsprint and mixed paper,
17 in all State buildings as appropriate and feasible. Such waste
18 reduction programs shall be designed to achieve waste
19 reductions of at least 25% of all such waste by December 31,
20 1995, and at least 50% of all such waste by December 31, 2000.
21 Any source separation and collection program shall include, at
22 a minimum, procedures for collecting and storing recyclable
23 materials, bins or containers for storing materials, and
24 contractual or other arrangements with buyers of recyclable
25 materials. If market conditions so warrant, the Department of
26 Central Management Services, in coordination with the

1 Department of Commerce and Economic Opportunity, may modify
2 programs developed pursuant to this Section.

3 The Department of Commerce and Community Affairs (now
4 Department of Commerce and Economic Opportunity) shall conduct
5 waste categorization studies of all State facilities for
6 calendar years 1991, 1995 and 2000. Such studies shall be
7 designed to assist the Department of Central Management
8 Services to achieve the waste reduction goals established in
9 this subsection.

10 (c) Each State agency shall, upon consultation with the
11 Department of Commerce and Economic Opportunity, periodically
12 review its procurement procedures and specifications related
13 to the purchase of products or supplies. Such procedures and
14 specifications shall be modified as necessary to require the
15 procuring agency to seek out products and supplies that contain
16 recycled materials, and to ensure that purchased products or
17 supplies are reusable, durable or made from recycled materials
18 whenever economically and practically feasible. In choosing
19 among products or supplies that contain recycled material,
20 consideration shall be given to products and supplies with the
21 highest recycled material content that is consistent with the
22 effective and efficient use of the product or supply.

23 (d) Wherever economically and practically feasible, the
24 Department of Central Management Services shall procure
25 recycled paper and paper products as follows:

26 (1) Beginning July 1, 1989, at least 10% of the total

1 dollar value of paper and paper products purchased by the
2 Department of Central Management Services shall be
3 recycled paper and paper products.

4 (2) Beginning July 1, 1992, at least 25% of the total
5 dollar value of paper and paper products purchased by the
6 Department of Central Management Services shall be
7 recycled paper and paper products.

8 (3) Beginning July 1, 1996, at least 40% of the total
9 dollar value of paper and paper products purchased by the
10 Department of Central Management Services shall be
11 recycled paper and paper products.

12 (4) Beginning July 1, 2000, at least 50% of the total
13 dollar value of paper and paper products purchased by the
14 Department of Central Management Services shall be
15 recycled paper and paper products.

16 (e) Paper and paper products purchased from private vendors
17 pursuant to printing contracts are not considered paper
18 products for the purposes of subsection (d). However, the
19 Department of Central Management Services shall report to the
20 General Assembly on an annual basis the total dollar value of
21 printing contracts awarded to private sector vendors that
22 included the use of recycled paper.

23 (f) (1) Wherever economically and practically feasible,
24 the recycled paper and paper products referred to in
25 subsection (d) shall contain postconsumer or recovered
26 paper materials as specified by paper category in this

1 subsection:

2 (i) Recycled high grade printing and writing paper
3 shall contain at least 50% recovered paper material.
4 Such recovered paper material, until July 1, 1994,
5 shall consist of at least 20% deinked stock or
6 postconsumer material; and beginning July 1, 1994,
7 shall consist of at least 25% deinked stock or
8 postconsumer material; and beginning July 1, 1996,
9 shall consist of at least 30% deinked stock or
10 postconsumer material; and beginning July 1, 1998,
11 shall consist of at least 40% deinked stock or
12 postconsumer material; and beginning July 1, 2000,
13 shall consist of at least 50% deinked stock or
14 postconsumer material.

15 (ii) Recycled tissue products, until July 1, 1994,
16 shall contain at least 25% postconsumer material; and
17 beginning July 1, 1994, shall contain at least 30%
18 postconsumer material; and beginning July 1, 1996,
19 shall contain at least 35% postconsumer material; and
20 beginning July 1, 1998, shall contain at least 40%
21 postconsumer material; and beginning July 1, 2000,
22 shall contain at least 45% postconsumer material.

23 (iii) Recycled newsprint, until July 1, 1994,
24 shall contain at least 40% postconsumer material; and
25 beginning July 1, 1994, shall contain at least 50%
26 postconsumer material; and beginning July 1, 1996,

1 shall contain at least 60% postconsumer material; and
2 beginning July 1, 1998, shall contain at least 70%
3 postconsumer material; and beginning July 1, 2000,
4 shall contain at least 80% postconsumer material.

5 (iv) Recycled unbleached packaging, until July 1,
6 1994, shall contain at least 35% postconsumer
7 material; and beginning July 1, 1994, shall contain at
8 least 40% postconsumer material; and beginning July 1,
9 1996, shall contain at least 45% postconsumer
10 material; and beginning July 1, 1998, shall contain at
11 least 50% postconsumer material; and beginning July 1,
12 2000, shall contain at least 55% postconsumer
13 material.

14 (v) Recycled paperboard, until July 1, 1994, shall
15 contain at least 80% postconsumer material; and
16 beginning July 1, 1994, shall contain at least 85%
17 postconsumer material; and beginning July 1, 1996,
18 shall contain at least 90% postconsumer material; and
19 beginning July 1, 1998, shall contain at least 95%
20 postconsumer material.

21 (2) For the purposes of this Section, "postconsumer
22 material" includes:

23 (i) paper, paperboard, and fibrous wastes from
24 retail stores, office buildings, homes, and so forth,
25 after the waste has passed through its end usage as a
26 consumer item, including used corrugated boxes, old

1 newspapers, mixed waste paper, tabulating cards, and
2 used cordage; and

3 (ii) all paper, paperboard, and fibrous wastes
4 that are diverted or separated from the municipal solid
5 waste stream.

6 (3) For the purposes of this Section, "recovered paper
7 material" includes:

8 (i) postconsumer material;

9 (ii) dry paper and paperboard waste generated
10 after completion of the papermaking process (that is,
11 those manufacturing operations up to and including the
12 cutting and trimming of the paper machine reel into
13 smaller rolls or rough sheets), including envelope
14 cuttings, bindery trimmings, and other paper and
15 paperboard waste resulting from printing, cutting,
16 forming, and other converting operations, or from bag,
17 box and carton manufacturing, and butt rolls, mill
18 wrappers, and rejected unused stock; and

19 (iii) finished paper and paperboard from obsolete
20 inventories of paper and paperboard manufacturers,
21 merchants, wholesalers, dealers, printers, converters,
22 or others.

23 (g) The Department of Central Management Services may adopt
24 regulations to carry out the provisions and purposes of this
25 Section.

26 (h) Every State agency shall, in its procurement documents,

1 specify that, whenever economically and practically feasible,
2 a product to be procured must consist, wholly or in part, of
3 recycled materials, or be recyclable or reusable in whole or in
4 part. When applicable, if state guidelines are not already
5 prescribed, State agencies shall follow USEPA guidelines for
6 federal procurement.

7 (i) All State agencies shall cooperate with the Department
8 of Central Management Services in carrying out this Section.
9 The Department of Central Management Services may enter into
10 cooperative purchasing agreements with other governmental
11 units in order to obtain volume discounts, or for other reasons
12 in accordance with the Governmental Joint Purchasing Act, or in
13 accordance with the Intergovernmental Cooperation Act if
14 governmental units of other states or the federal government
15 are involved.

16 (j) The Department of Central Management Services shall
17 submit an annual report to the General Assembly concerning its
18 implementation of the State's collection and recycled paper
19 procurement programs. This report shall include a description
20 of the actions that the Department of Central Management
21 Services has taken in the previous fiscal year to implement
22 this Section. This report shall be submitted on or before
23 November 1 of each year.

24 (k) The Department of Central Management Services, in
25 cooperation with all other appropriate departments and
26 agencies of the State, shall institute whenever economically

1 and practically feasible the use of re-refined motor oil in all
2 State-owned motor vehicles and the use of remanufactured and
3 retread tires whenever such use is practical, beginning no
4 later than July 1, 1992.

5 (l) (Blank).

6 (m) The Department of Central Management Services, in
7 coordination with the Department of Commerce and Community
8 Affairs (now Department of Commerce and Economic Opportunity),
9 has implemented an aluminum can recycling program in all State
10 buildings within 270 days of the effective date of this
11 amendatory Act of 1997. The program provides for (1) the
12 collection and storage of used aluminum cans in bins or other
13 appropriate containers made reasonably available to occupants
14 and visitors of State buildings and (2) the sale of used
15 aluminum cans to buyers of recyclable materials.

16 Proceeds from the sale of used aluminum cans shall be
17 deposited into I-CYCLE accounts maintained in the Facilities
18 Management ~~State Surplus Property~~ Revolving Fund and, subject
19 to appropriation, shall be used by the Department of Central
20 Management Services and any other State agency to offset the
21 costs of implementing the aluminum can recycling program under
22 this Section.

23 All State agencies having an aluminum can recycling program
24 in place shall continue with their current plan. If a State
25 agency has an existing recycling program in place, proceeds
26 from the aluminum can recycling program may be retained and

1 distributed pursuant to that program, otherwise all revenue
2 resulting from these programs shall be forwarded to Central
3 Management Services, I-CYCLE for placement into the
4 appropriate account within the Facilities Management ~~State~~
5 ~~Surplus Property~~ Revolving Fund, minus any operating costs
6 associated with the program.

7 (Source: P.A. 99-34, eff. 7-14-15; 99-543, eff. 1-1-17.)

8 Section 99. Effective date. This Act takes effect July 1,
9 2020.