



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3985

Introduced 3/4/2021, by Rep. Joyce Mason

SYNOPSIS AS INTRODUCED:

New Act

Creates the Renters' Right to Recycle Act. Requires owners of multifamily dwellings to arrange for recycling services that are appropriate to the multifamily dwelling, including, but not limited to, the provision of on-site paper, plastic, and aluminum recycling containers for tenants. Provides exceptions for multifamily dwellings with inadequate space for recycling containers, that do not have a solid waste enterprise providing recycling services that serve the location, or for which the cost of recycling services creates a financial hardship for the building owner. Directs the Environmental Protection Agency to implement, administer, and enforce the Act and adopt necessary rules. Allows residents of multifamily dwellings to file claims with the Agency stating that the owner of the unit in which the resident resides is in violation of the Act. Provides that violators of the Act's provisions may be assessed a civil penalty in an amount to be determined by the Agency. Provides that the Act does not interfere with or prevent a unit of local government from requiring recycling services for multifamily dwellings.

LRB102 17149 CPF 22581 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 1. Short title. This Act may be cited as the
5 Renters' Right to Recycle Act.

6 Section 5. Findings. The General Assembly finds that:

7 (1) The provision of recycling services at residential
8 dwellings is one of the most effective means of increasing
9 the diversion and recycling of solid waste.

10 (2) The intent of this Act is to provide convenient
11 recycling opportunities for Illinoisans residing in
12 multifamily dwelling units who currently do not have
13 access to recycling services at their places of residence.

14 (3) This Act would bolster Illinois' leadership in
15 recycling and conservation and help the State achieve its
16 greenhouse gas reduction goals.

17 Section 10. Definitions.

18 "Agency" means the Environmental Protection Agency.

19 "Multifamily dwelling" means a dwelling which is either
20 rented out to be occupied or is occupied as the residence or
21 home of 5 or more families or persons living independently
22 from each other.

1 "Solid waste enterprise" means an individual, partnership,
2 joint venture, unincorporated private association, or other
3 business organization regularly engaged in the business of
4 providing solid waste handling services.

5 "Solid waste handling services" means the collection,
6 transportation, storage, transfer, or processing of solid
7 waste for residential, commercial, institutional, or
8 industrial users or customers.

9 Section 15. Recycling services for multifamily dwellings.
10 The owner of a multifamily dwelling shall arrange for
11 recycling services that are appropriate to the multifamily
12 dwelling, including, but not limited to, the provision of
13 on-site paper, plastic, and aluminum recycling containers for
14 tenants, consistent with State and local law or requirements
15 applicable to the collection, handling, or recycling of solid
16 waste.

17 Section 20. Exceptions. An owner of a multifamily dwelling
18 is not required to arrange for recycling services under this
19 Act if any of the following apply:

20 (1) There is inadequate space for recycling
21 containers, as certified by a solid waste enterprise that
22 would otherwise serve the multifamily dwelling. The
23 certification required under this paragraph shall be
24 provided to the Agency, shall be valid for no more than 5

1 years after the date of certification, and shall include
2 all of the following:

3 (A) the address of the multifamily dwelling;

4 (B) the name, address, telephone number, and email
5 address of the multifamily dwelling owner;

6 (C) the name, address, telephone number, business
7 license number, and email address of the solid waste
8 enterprise making the required certification;

9 (D) the date of certification; and

10 (E) the name and title of the person making the
11 certification.

12 (2) No solid waste enterprise providing recycling
13 services serves the multifamily dwelling.

14 (3) The cost of recycling services creates a financial
15 hardship for the multifamily dwelling owner. A multifamily
16 dwelling owner may claim a financial hardship under this
17 paragraph only if the recycling services result in a cost
18 increase of 30% or more over the cost of providing solid
19 waste services alone. A claim of financial hardship under
20 this paragraph shall be provided to the Agency, shall be
21 valid for no more than 5 years after the date of the claim,
22 and shall include all of the following:

23 (A) the address of the multifamily dwelling;

24 (B) the name, address, telephone number, and email
25 address of the multifamily dwelling owner;

26 (C) the name, address, telephone number, business

1 license number, and email address of the solid waste
2 enterprise making the required certification;

3 (D) the date of certification; and

4 (E) the name and title of the person making the
5 certification.

6 Section 25. Administration and enforcement; rules;
7 resident complaints.

8 (a) The Agency shall implement, administer, and enforce
9 this Act and may adopt any rules necessary for its
10 implementation, administration, or enforcement.

11 (b) A resident of a multifamily dwelling may file a claim
12 with the Agency stating that the owner of the unit in which the
13 resident resides is in violation of this Act.

14 Section 30. Violations. Any person who violates this Act,
15 or any rule adopted by the Agency under this Act, may be
16 assessed a civil penalty by the Agency in an amount to be
17 determined by the Agency.

18 Section 35. Units of local government. This Act does not
19 interfere with or prevent a unit of local government from
20 requiring recycling services for multifamily dwellings.