



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0592

Introduced 2/24/2021, by Sen. Suzy Glowiak Hilton

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. Effective July 1, 2022.

LRB102 13952 CPF 19304 b

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 residential facility that
20 consists of 2 or more living units.

21 "Solid waste enterprise" means an individual, partnership,
22 joint venture, unincorporated private association, or other

1 business organization regularly engaged in the business of
2 providing solid waste handling services.

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

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

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

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

- 1 (A) the address of the multifamily dwelling;
- 2 (B) the name, address, telephone number, and email
3 address of the multifamily dwelling owner;
- 4 (C) the name, address, telephone number, business
5 license number, and email address of the solid waste
6 enterprise making the required certification;
- 7 (D) the date of certification; and
- 8 (E) the name and title of the person making the
9 certification.

10 (2) No solid waste enterprise providing recycling
11 services serves the multifamily dwelling.

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

- 21 (A) the address of the multifamily dwelling;
- 22 (B) the name, address, telephone number, and email
23 address of the multifamily dwelling owner;
- 24 (C) the name, address, telephone number, business
25 license number, and email address of the solid waste
26 enterprise making the required certification;

1 (D) the date of certification; and
2 (E) the name and title of the person making the
3 certification.

4 Section 25. Administration and enforcement; rules;
5 resident complaints.

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

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

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

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

19 Section 99. Effective date. This Act takes effect July 1,
20 2022.