



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB1621

Introduced 2/26/2021, by Sen. Melinda Bush

SYNOPSIS AS INTRODUCED:

420 ILCS 10/10 new

Amends the Illinois Nuclear Facility Safety Act. Provides that any municipality may establish and collect a nuclear storage impact fee from the entity that operated a nuclear facility within the boundaries of the municipality. Provides that the nuclear storage impact fee shall only be imposed on nuclear facilities that ceased generating electricity on or before the effective date of this amendatory Act. Provides that the fee shall be charged to the entity that operated a nuclear facility within the boundaries of the municipality immediately before the nuclear facility ceased to generate electricity. Provides that the nuclear storage impact fee can only be applied prospectively. Provides that in any calendar year, the nuclear storage impact fee shall not exceed 25% of the average annual amount of property taxes paid to the municipality by the entity that operated the nuclear facility during the last 5 years that the nuclear facility was operational. Provides that the municipality shall conduct a public hearing before imposing the nuclear storage impact fees. Provides that the revenue collected from the fees shall be used to offset property taxes for owners of property within the boundaries of the municipality. Provides that no sale, assignment, lease, or decommissioning agreement that was executed after a nuclear facility ceased generating electricity and before the effective date of this amendatory Act shall assign or transfer the obligation to pay any nuclear storage impact fee imposed.

LRB102 16151 CPF 21527 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 5. The Illinois Nuclear Facility Safety Act is
5 amended by adding Section 10 as follows:

6 (420 ILCS 10/10 new)

7 Sec. 10. Municipal nuclear storage impact fees.

8 (a) Notwithstanding any other provision of law to the
9 contrary, any municipality may establish and collect a nuclear
10 storage impact fee from the entity that operated a nuclear
11 facility within the boundaries of the municipality. The
12 nuclear storage impact fee shall only be imposed on nuclear
13 facilities that ceased generating electricity on or before the
14 effective date of this amendatory Act of the 102nd General
15 Assembly.

16 (b) The fee established under this Section shall be
17 charged to the entity that operated a nuclear facility within
18 the boundaries of the municipality immediately before the
19 nuclear facility ceased to generate electricity. The nuclear
20 storage impact fee can only be applied prospectively on or
21 after the effective date of this amendatory Act of the 102nd
22 General Assembly and cannot be applied retroactively to the
23 date that the nuclear facility ceased operations.

1 (c) In any calendar year, the nuclear storage impact fee
2 shall not exceed 25% of the average annual amount of property
3 taxes paid to the municipality by the entity that operated the
4 nuclear facility during the last 5 years that the nuclear
5 facility was operational.

6 (d) The municipality shall conduct a public hearing before
7 imposing the nuclear storage impact fees permitted under this
8 Section. The hearing shall be held within the boundaries of
9 the municipality. Notice of the time, place, and purpose of
10 the hearing shall be given at least 10 days before the date of
11 the hearing.

12 (e) The revenue collected under this Section shall be used
13 to offset property taxes for owners of property within the
14 boundaries of the municipality.

15 (f) No sale, assignment, lease, or decommissioning
16 agreement that was executed after a nuclear facility ceased
17 generating electricity and before the effective date of this
18 amendatory Act of the 102nd General Assembly shall assign or
19 transfer the obligation to pay any nuclear storage impact fee
20 imposed pursuant to this Section.