



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2436

Introduced 2/26/2021, by Sen. Robert Peters

SYNOPSIS AS INTRODUCED:

See Index

Creates the Clean Jobs, Workforce, and Contractor Equity Act. Creates the Equity and Empowerment in Clean Energy Advisory Board to administer the Clean Jobs Workforce Hubs Network Program, the Expanding Clean Energy Entrepreneurship and Contractor Incubator Network Program, the Returning Residents Clean Jobs Training Program, and the Illinois Clean Energy Black, Indigenous, and People of Color Primes Contractor Accelerator Programs. Establishes the Returning Residents Clean Jobs Training Program within the Department of Commerce and Economic Opportunity to assist inmates in their rehabilitation through training that prepares them to successfully hold employment in the clean energy jobs sector upon their release from incarceration. Requires the Department of Commerce and Economic Opportunity to create an Illinois Clean Energy Black, Indigenous, and People of Color Primes Contractor Accelerator Program. Creates the Illinois Clean Energy Jobs and Justice Fund Act to ensure access to financial products that allow Illinois residents and businesses to invest in clean energy. Creates the Community Energy, Climate, and Jobs Planning Act to aid local governments in developing a comprehensive approach to combining different energy, climate, and jobs programs and funding resources to achieve complementary impact. Creates the Energy Community Reinvestment Fund Act. Amends the State Finance Act to create the Energy Community Reinvestment Fund and the Illinois Clean Energy Jobs and Justice Fund. Amends the School Code. Sets forth provisions concerning a clean energy jobs curriculum. Amends the Public Utilities Act. Sets forth provisions concerning the Equitable Energy Upgrade Program. Amends the Environmental Protection Act. Sets forth provisions concerning the energy community reinvestment fee. Effective immediately.

LRB102 17362 SPS 22855 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

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

4 Article 1. Findings

5 Section 1-5. Findings. The General Assembly finds that:

6 (a) The growing clean energy economy in Illinois can be a
7 vehicle for expanding equitable access to public health,
8 safety, a cleaner environment, quality jobs, economic
9 opportunity, and wealth-building, particularly in economically
10 disadvantaged communities and communities of black,
11 indigenous, and people of color that have had to bear the
12 disproportionate burden of dirty fossil fuel pollution.

13 (b) Placing Illinois on a path to 100% renewable energy is
14 vital to a clean energy future. To bring this vision to
15 fruition, our energy policy must prioritize a just transition
16 that incentivizes renewable development and other
17 carbon-reducing policies, such as energy efficiency,
18 beneficial electrification, and peak demand reduction, while
19 ensuring that the benefits and opportunities of a carbon-free
20 future are accessible in economically disadvantaged
21 communities, environmental justice communities, and
22 communities of black, indigenous, and people of color.

1 Article 5. Clean Jobs, Workforce, and Contractor Equity Act

2 Part 1. Governance

3 Section 5-101. Short title. This Article may be cited as
4 the Clean Jobs, Workforce, and Contractor Equity Act.

5 Section 5-105. Findings.

6 (a) The General Assembly finds that the clean energy jobs
7 sector, including renewables, energy efficiency, energy
8 storage, and other related fields, is a growing sector in the
9 State of Illinois and that programs to support a growing
10 workforce and robust businesses in this sector would benefit
11 from a centralized structure for community input and oversight
12 and regional program administration to reduce costs, support
13 knowledge sharing, and facilitate access to the programs.

14 (b) The General Assembly finds that the State of Illinois
15 should build upon the success of the Future Energy Jobs Act and
16 the Illinois Solar for All program by further expanding
17 statewide equitable access to quality training, jobs, and
18 economic opportunities across the entire clean energy sector
19 in and throughout Illinois, including solar, wind, energy
20 efficiency, transportation electrification, and other related
21 clean energy industries, especially for members of the
22 following communities across the State to enter and complete
23 the career pipeline for clean energy jobs, with the goal of

1 serving all of the following groups distributed across the
2 network: (i) low-income persons and families; (ii) persons
3 residing in environmental justice communities; (iii) BIPOC
4 persons; (iv) justice-involved persons; (v) persons who are or
5 were in the child welfare system; (vi) energy workers; (vii)
6 members of any of these groups who are also women,
7 transgender, or gender nonconforming persons; and (viii)
8 members of any of these groups who are also youth, especially
9 those who have had to bear the disproportionate burden of
10 dirty fossil fuel pollution. The General Assembly further
11 finds that the programs included in the Clean Jobs, Workforce,
12 and Contractor Equity Act are essential to equitable,
13 statewide access to quality training, jobs, and economic
14 opportunities across the clean energy sector.

15 (c) The General Assembly finds that the State of Illinois
16 should build upon the success of the Future Energy Jobs Act and
17 the Illinois Solar for All program by ensuring small, BIPOC
18 clean energy businesses and contractors have equitable access
19 to economic opportunities, including new clean energy jobs and
20 investment created by the growing clean energy sector in
21 Illinois.

22 (d) The General Assembly finds that serious challenges are
23 posed for Illinois small business owners due to income and
24 wealth disparities, that market barriers disproportionately
25 impact BIPOC contractors and small business owners, obtaining
26 certifications and program qualifications are an essential

1 part of doing business in the clean energy economy and that
2 discriminatory lending policies limit these businesses' access
3 to capital.

4 (1) This finding is informed by a July 2020 analysis
5 of 2018 U.S. Census American Community Survey data by the
6 Center for American Progress which found that "while Black
7 Americans make up 13% of the U.S. population, they own
8 less than 2% of small businesses with employees. By
9 contrast, white Americans make up 60% of the U.S.
10 population but own 82% of small employer firms. If Black
11 Americans enjoyed the same business ownership and success
12 rates as their white counterparts, there would be
13 approximately 860,000 additional Black-owned firms
14 employing more than 10 million people." (A Blueprint for
15 Revamping the Minority Business Development Agency, Center
16 for American Progress July 31, 2020).

17 (2) This finding is also informed by the Federal
18 Reserve Bank of Atlanta's December 2019 Small Business
19 Credit Survey which examined and found disparities in
20 reliance on personal funds/credit scores, loan application
21 outcomes, reliance on higher cost and lower transparency
22 credit products, loan approval rates and lender
23 satisfaction. The survey concluded "Minority-owned firms
24 more frequently reported financial challenges.
25 Seventy-eight percent of Black-owned firms, and 69% of
26 Asian- and Hispanic-owned firms did so, compared to 62% of

1 White-owned businesses." (Small Business Credit Survey
2 2019 Report on Minority-Owned Firms, Federal Reserve Bank
3 of Atlanta, December 2019).

4 (3) The General Assembly further finds that these
5 disparities continue as businesses develop. This finding
6 is informed by a December 2016 Stanford Institute for
7 Economic Policy Research study that concluded "We find
8 that African-American business ventures start smaller in
9 terms of overall financial capital and invest capital at a
10 slower rate in the years following startup. This means
11 that funding differences present at the firm's founding
12 persist and even worsen over time."

13 (4) For these reasons, the Illinois Clean Energy
14 Black, Indigenous, and People of Color Primes Contractor
15 Accelerator Program is narrowly tailored to encourage and
16 sustain the growth of BIPOC contractors in the Illinois
17 clean energy economy through individualized coaching,
18 specialized training, mentorships with established clean
19 energy firms, operational support, appropriate business
20 certifications and program enrollments and access to
21 capital.

22 (e) The General Assembly finds that the clean energy jobs
23 sector, including renewables, energy efficiency, energy
24 storage, and other related fields, is a growing sector in the
25 State of Illinois, that returning residents will be well
26 served by considering employment in this field, and that the

1 residents of the State of Illinois will benefit from the
2 continued growth of jobs in this sector.

3 Section 5-110. Power of the Department. The Department may
4 adopt such rules as the Director deems necessary to carry out
5 the purposes of this Act.

6 Section 5-115. Definitions. As used in this Act:

7 "Advisory Board" means the Equity and Empowerment in Clean
8 Energy Advisory Board as established in this Act.

9 "Black, indigenous, and people of color" and "BIPOC" are
10 defined as people who are members of the groups described in
11 subparagraphs (a) through (e) of paragraph (A) of subsection
12 (1) of Section 2 of the Business Enterprise for Minorities,
13 Women, and Persons with Disabilities Act.

14 "Clean energy jobs" means jobs in the solar energy, wind
15 energy, energy efficiency, solar thermal, geothermal, and
16 electric vehicle industries, and other renewable energy
17 industries, including related industries that manufacture,
18 develop, build, maintain, or provide ancillary services to
19 renewable energy resources or energy efficiency products or
20 services, including the manufacture and installation of
21 healthier building materials that contain fewer hazardous
22 chemicals. "Clean energy jobs" includes administrative, sales,
23 and other support functions within these industries.

24 "Community-based organization" means an organization in

1 which:

2 (1) the majority of the governing body consists of
3 local residents;

4 (2) at least one main operating office is in the
5 community;

6 (3) priority issue areas are identified and defined by
7 local residents;

8 (4) solutions to address priority issues are developed
9 with local residents; and

10 (5) organizational program design, implementation, and
11 evaluation components have local residents intimately
12 involved in leadership positions in the organization.

13 "Department" means the Department of Commerce and Economic
14 Opportunity, unless the text solely specifies a particular
15 Department.

16 "Director" means the Director of Commerce and Economic
17 Opportunity.

18 "Energy efficiency" has the meaning set forth in Section
19 1-10 of the Illinois Power Agency Act.

20 "Environmental justice community" means the definition of
21 that term based on existing methodologies and findings, used
22 as may be updated by the Illinois Power Agency and its program
23 administrator in the Illinois Solar for All program.

24 "Low-income" means persons and households whose income
25 does not exceed 80% of the area median income, adjusted for
26 family size and revised every 2 years.

1 "Primes Program Administrator" means the entity defined as
2 such by Part 15 of this Act.

3 "Regional Administrator" means the entities selected
4 according to Section 5-130 of this Act.

5 "Regional Primes Program Lead" means the entities defined
6 as such by Part 15 of this Act.

7 "Renewable energy resources" has the meaning set forth in
8 Section 1-10 of the Illinois Power Act.

9 Section 5-120. Purpose. The Equity and Empowerment in
10 Clean Energy Advisory Board shall be established to advise and
11 assist the Department of Commerce and Economic Opportunity in
12 its efforts to administer the following programs as set forth
13 in this Act: the Clean Jobs Workforce Hubs Network Program;
14 the Expanding Clean Energy Entrepreneurship and Contractor
15 Incubator Network Program; the Returning Residents Clean Jobs
16 Training Program; and the Illinois Clean Energy Black,
17 Indigenous, and People of Color Primes Contractor Accelerator
18 Program. The Department of Commerce and Economic Opportunity
19 shall contract with 3 Regional Administrators as described in
20 this Part to assist in the implementation of several of these
21 programs, and shall develop a system of performance management
22 and corrective action applicable to these programs.

23 Section 5-125. Equity and Empowerment in Clean Energy
24 Advisory Board.

1 (a) Purpose. To ensure success and equity in the clean
2 energy industry in Illinois, the General Assembly hereby
3 creates an Equity and Empowerment in Clean Energy Advisory
4 Board to oversee and advise the Department on the
5 administration of the following programs set forth in this
6 Act:

7 (1) the Clean Jobs Workforce Hubs Network Program;

8 (2) the Expanding Clean Energy Entrepreneurship and
9 Contractor Incubator Network Program;

10 (3) the Returning Residents Clean Jobs Training
11 Program; and

12 (4) the Illinois Clean Energy Black, Indigenous, and
13 People of Color Primes Contractor Accelerator.

14 (b) Meetings. The Department shall provide administrative
15 support for and convene the Equity and Empowerment in Clean
16 Energy Advisory Board within 90 days after the effective date
17 of this Act. The Department shall convene at least one meeting
18 of the Advisory Board every quarter. All meetings shall be
19 accessible, with rotating locations, call-in and
20 videoconference options, and materials and agendas circulated
21 well in advance, and there shall also be opportunities for
22 input outside of meetings from those with limited capacity and
23 ability to attend, via one-on-one meetings, surveys, and calls
24 subject to compliance with the Open Meetings Act.

25 (c) Duties. The Advisory Board:

26 (1) shall review reported program performance metrics,

1 and may recommend harmonizing metrics across programs and
2 additional metrics for collection, including, but not
3 limited to, metrics tailored to a specific program or
4 program delivery area;

5 (2) shall ensure program performance metrics are
6 published and available to the public within 30 days after
7 each advisory board meeting. Program performance metrics
8 may be anonymized where necessary to prevent disclosure of
9 private information about individuals. The Department
10 shall also post Advisory Board meeting minutes on its
11 website within 14 days after Board approval;

12 (3) shall ensure that notices of open requests for
13 proposals and other business opportunities associated with
14 the programs are widely circulated and available in the
15 communities where each program is located and among
16 communities who benefit from the programs;

17 (4) shall develop recommendations at least once every
18 3 months to aid the Department, program implementers, and
19 other program partners in tracking and improving the
20 performance of the Program;

21 (5) shall provide recommendations to the Department,
22 program implementers, and other program partners to
23 troubleshoot emergent challenges and identify emergent
24 opportunities to improve the delivery of program elements
25 in addition to those captured in collected metrics. The
26 recommendations may be targeted toward any level or

1 geographic area of implementation;

2 (6) shall collaborate with the Board Liaison,
3 Department, and other program partners and vendors to
4 inform updates to the public about Advisory Board
5 activities;

6 (7) shall advise the Department, Regional
7 Administrators, and Primes Program Administrator on the
8 development of dispute resolution processes; and

9 (8) shall perform any other duties assigned to it by
10 this Act.

11 (d) Composition and Terms. The Department shall appoint
12 the Advisory Board within 90 days after the effective date of
13 this Act and shall appoint new Advisory Board members as
14 members' terms expire or members leave the Board. Members of
15 the Advisory Board shall serve without compensation, but may
16 be reimbursed for their reasonable and necessary expenses
17 incurred in performing their duties. The Department shall
18 provide administrative support to the Advisory Board,
19 including the selection of a Department staff member to serve
20 as a Board Liaison between the Department and the Advisory
21 Board. The Department shall appoint interim members to the
22 Advisory Board upon departures of members. The Advisory Board
23 shall consist of the following 15 members that reflects the
24 diversity and demographics of the State of Illinois:

25 (1) 2 low-income persons residing in communities
26 listed in paragraphs (1) through (3) in subsection (b) of

1 Section 5-130 of this Part;

2 (2) 2 residents of environmental justice communities
3 served by a Hub Site, as defined in Part 5 of this Act;

4 (3) one current or former participant trainee in the
5 Clean Energy Entrepreneurship and Contractor Incubator
6 Network Program. For the initial board term, the
7 Department may select a current or former participant of a
8 utility-supported contractor incubator program for this
9 position;

10 (4) 2 members from community-based organizations in
11 environmental justice communities and community-based
12 organizations serving low-income persons and families;

13 (5) 2 members who are policy or implementation experts
14 on small business development, contractor incubation, or
15 small business lending and financing needs;

16 (6) 2 members who are policy or implementation experts
17 on workforce development for populations and individuals
18 such as low-income persons and families, environmental
19 justice communities, BIPOC communities, justice-involved
20 persons, persons who are or were in the child welfare
21 system, energy workers, gender nonconforming and
22 transgender individuals, and youth;

23 (7) 2 representatives of clean energy businesses,
24 nonprofit organizations, worker-owned cooperatives, and
25 other groups that provide clean energy contracting
26 opportunities; and

1 (8) 2 representatives of labor unions.

2 At any time, the Board must contain at least 4 members who
3 reside in each of the North, Central, and Southern sections of
4 Illinois. The terms of the initial members of the Advisory
5 Board shall be such that 5 members have initial 3-year terms, 5
6 members have initial 2-year terms, and 5 members have initial
7 1-year terms. After initial terms are complete, all members of
8 the Advisory Board shall have 3-year terms. A majority of
9 Board members shall constitute a quorum.

10 Section 5-130. Regional administrators.

11 (a) Within 180 days after the effective date of this Act,
12 the Department shall convene and complete a comprehensive
13 stakeholder process that includes, at minimum, representatives
14 from community-based organizations in environmental justice
15 communities, community-based organizations serving low-income
16 persons and families, community-based organizations serving
17 energy workers, and labor unions. The stakeholder process must
18 include measures for process transparency to be posted on the
19 Department website or initial program websites, such as a
20 timeline for key decision points, detailed criteria
21 implementing requirements specified in subsection (b) of this
22 Section, and identification of opportunities for stakeholder
23 participation and review. After completing the stakeholder
24 process, the Department, in consultation with and with the
25 approval of the Advisory Board, shall select 3 Regional

1 Administrators to administer and coordinate the work of the
2 following programs set forth in this Act:

3 (1) the Clean Jobs Workforce Clean Jobs Workforce Hubs
4 Network Program;

5 (2) the Expanding Clean Energy Entrepreneurship and
6 Contractor Incubator Network Program; and

7 (3) the Returning Residents Clean Jobs Training
8 Program.

9 (b) The Department shall select 3 unique Regional
10 Administrators: one Regional Administrator for coordination of
11 the work in the Northern Illinois Program Delivery Area, one
12 Regional Administrator selected for coordination of the work
13 in the Central Illinois Program Delivery Area, and one
14 Regional Administrator selected for coordination of the work
15 in the Southern Illinois Program Delivery Area. For purposes
16 of this Act:

17 (1) The Northern Illinois Program Delivery Area
18 includes areas in or near Chicago (South Side), Chicago
19 (Southwest Side), Waukegan, Rockford, Aurora, Joliet, and
20 one of the 3 sites to be selected based on the gap analyses
21 described in subsection (b) of Section 5-515 of Part 5 of
22 this Act and subsection (b) of Section 5-1010 of Part 10 of
23 this Act.

24 (2) The Central Illinois Program Delivery Area
25 includes areas in or near Peoria, Champaign, Danville,
26 Decatur, and one of the 3 sites to be selected based on the

1 gap analyses described in subsection (b) of Section 5-515
2 of Part 5 of this Act and subsection (b) of Section 5-1010
3 of Part 10 of this Act.

4 (3) The Southern Illinois Program Delivery Area
5 includes areas in or near Carbondale, East St. Louis, and
6 Alton, and one of the 3 sites to be selected based on the
7 gap analyses described in subsection (b) of Section 5-515
8 of Part 5 of this Act and subsection (b) of Section 5-1010
9 of Part 10 of this Act.

10 (c) The Regional Administrators shall have strong
11 capabilities, experience, and knowledge related to program
12 development and fiscal management; cultural and language
13 competency needed to be effective in their respective
14 communities to be served; expertise in working in and with
15 BIPOC and environmental justice communities; knowledge and
16 experience in working with providers of clean energy jobs; and
17 awareness of industry trends and activities, workforce
18 development best practices, regional workforce development
19 needs, regional and industry employers, and community
20 development. The Regional Administrators shall demonstrate a
21 track record of strong partnerships with community-based
22 organizations.

23 (d) The Regional Administrators shall work together to
24 coordinate the programs listed in paragraphs (1) through (3)
25 of subsection (a) to ensure execution, performance,
26 partnerships, marketing, and program access across the State

1 that is as consistent as possible while respecting regional
2 differences. The Regional Administrators shall work with
3 Program Administrators and partner community-based
4 organizations in their respective regions and Program Delivery
5 Areas to deliver these programs and shall establish mechanisms
6 to fund these partner community-based organizations for their
7 work on these programs. Each of the Regional Administrators
8 shall convene the community-based organizations delivering
9 program elements in their Program Delivery Areas for a meeting
10 once per quarter, at minimum, as well as monthly calls, at
11 minimum. Each year, the Department shall convene a meeting of
12 the Regional Administrators, contracted community-based
13 organizations, and subcontracted entities.

14 (e) The Department shall oversee the coordination
15 undertaken by all 3 Regional Administrators to ensure
16 high-quality and equivalent service provision statewide. The
17 Department shall require, at minimum, monthly coordination
18 meetings including the Department and all 3 Regional
19 Administrators to develop joint planning processes and
20 coordination mechanisms with each of the Regional
21 Administrators and among the 3 Regional Administrators such
22 that they are functioning effectively and delivering parallel
23 administration in their respective regions, and the Department
24 shall also work to create joint planning opportunities and
25 coordination mechanisms to enable the Regional Administrators
26 to collaborate, particularly enabling the Regional

1 Administrators to coordinate and collaborate to enhance
2 program delivery within their respective program delivery
3 areas.

4 (f) Regional Administrators shall present a regional
5 status report consisting of, at minimum, the performance
6 metrics detailed in the programs described in subsection (a)
7 of this Section to the Advisory Board at each of its quarterly
8 meetings.

9 (g) Regional Administrators shall take on additional
10 duties related to the program administration as assigned by
11 the Department.

12 Section 5-135. Corrective action.

13 (a) The Department shall maintain a performance management
14 system to support the Primes Program Administrator, Regional
15 administrators, and Regional Primes Program Leads in ensuring
16 effective and high-quality implementation of the programs
17 listed in Section 5-120 of this Part.

18 (b) If the Primes Program Administrator, a Regional
19 Administrator, a Regional Primes Program Lead or contracted
20 community-based organization or other vendor does not deliver
21 contractually obligated program elements, objectives, or
22 outcomes, even after multiple corrective action plans have
23 been implemented, the Department or, in the case of
24 community-based organizations or other vendors, the Regional
25 Administrator may place the organization on probationary

1 status, or as needed, terminate their services. The Department
2 shall develop procedures to enable Regional Administrators to
3 procure expedited replacement contracts to avoid any resulting
4 disruption to the affected programs.

5 (c) If the Primes Program Administrator, a Regional
6 Administrator, a Regional Primes Program Lead or contracted
7 community-based organization or other vendor does not deliver
8 contractually obligated program elements, objectives, or
9 outcomes after corrective action has been implemented, the
10 Department may take additional corrective action, including,
11 but not limited to, a legally binding dispute resolution
12 process.

13 (d) The Department, Primes Program Administrator, and
14 Regional Administrators shall develop uniform guidelines for
15 minimum components of corrective action plans, and guidelines
16 for when probationary status or termination is deemed
17 warranted for the Primes, Program Administrator, Regional
18 Administrators, a Regional Primes Program Lead, contracted
19 community-based organizations or other vendors. The
20 Department, Primes Program Administrator, and Regional
21 Administrators, with input from the Advisory Board, shall
22 develop a uniform, legally binding mechanism for dispute
23 resolution between contracted community-based organizations
24 and their subcontracted entities to be implemented under the
25 Primes Program Administrator, Regional Administrators or other
26 identified mediator.

1 Section 5-140. Statewide program support lead. The
2 Department may contract with an outside vendor to assist with
3 program administration, contract management, management of
4 Regional Administrators, or other functions, as needed.

5 Section 5-145. Agreements. All agreements entered into
6 between the Department and entities for the purpose of
7 implementing the programs listed in Section 5-120 of this Part
8 shall contain provisions that provide for the implementation
9 of this Act.

10 Section 5-150. Administration; rules. The Department shall
11 administer this Act and shall adopt any rules necessary for
12 that purpose.

13 Part 5. Clean Jobs Workforce Hubs Network Program

14 Section 5-505. Definition. As used in this Part, "Program"
15 means the Clean Jobs Workforce Hubs Network Program.

16 Section 5-510. Clean Jobs Workforce Hubs Network Program.

17 (a) The Department shall develop, and through Regional
18 Program Administrators administer, the Clean Jobs Workforce
19 Hubs Network Program to create a network of 16 Program
20 delivery Hub Sites with program elements delivered by

1 community-based organizations and their subcontractors
2 geographically distributed across the State.

3 (b) The Program shall provide direct and sustained support
4 to members of one or more of the following members of
5 communities across the State to enter and complete the career
6 pipeline for clean energy jobs, with the goal of serving all of
7 the following groups distributed across the network: (i)
8 low-income persons; (ii) persons residing in environmental
9 justice communities; (iii) BIPOC persons; (iv)
10 justice-involved persons; (v) persons who are or were in the
11 child welfare system; (vi) energy workers; (vii) members of
12 any of these groups who are also women, transgender, or gender
13 nonconforming persons; and (viii) members of any of these
14 groups who are also youth.

15 (c) The Clean Jobs Workforce Hubs Network Program must:

16 (1) leverage community-based organizations,
17 educational institutions, and community-based and
18 labor-based training providers to ensure members of
19 disadvantaged communities across the State have dedicated
20 and sustained support to enter and complete the career
21 pipeline for clean energy jobs; and

22 (2) develop formal partnerships, including formal
23 sector partnerships between community-based organizations
24 and (i) trades groups, (ii) labor unions, and (iii)
25 entities that provide clean energy jobs, including
26 businesses, nonprofit organizations, and worker-owned

1 cooperatives to ensure that Program participants have
2 priority access to high-quality preapprenticeship,
3 apprenticeship, and other employment training and hiring
4 opportunities.

5 Section 5-515. Clean Jobs Workforce Hubs Network.

6 (a) The Department must develop and, through Regional
7 Administrators, administer the Clean Jobs Workforce Hubs
8 Network.

9 (b) The Clean Jobs Workforce Hubs Network shall be made up
10 of 16 Program delivery Hub Sites geographically distributed
11 across the State, including at least one Hub Site located in or
12 near each of the following areas: Chicago (South Side),
13 Chicago (Southwest Side), Waukegan, Rockford, Aurora, Joliet,
14 Peoria, Champaign, Danville, Decatur, Carbondale, East St.
15 Louis, and Alton. Three additional Hub Sites shall be
16 determined by the Department within 240 days after the
17 effective date of this Act based on a gap analysis identifying
18 areas with high concentrations of low-income residents,
19 environmental justice communities, and energy workers that are
20 otherwise underserved by the other 13 Hub Sites, as well as
21 review of advisory recommendations from the Advisory Board
22 specified in subsection (d) of Section 5-520. One of the
23 additional sites shall be located in the Northern Illinois
24 Program Delivery Area covering Northern Illinois, one of the
25 additional sites shall be located in the Central Illinois

1 Program Delivery Area covering Central Illinois, and one of
2 the additional sites shall be located in the Southern Illinois
3 Program Delivery Area covering Southern Illinois as specified
4 in Section 5-130 of Part 1 of this Act.

5 (c) Program elements at each Hub Site shall be provided by
6 a local community-based organization that shall be initially
7 competitively selected by the Department within 330 days after
8 the effective date of this Act and shall be subsequently
9 competitively selected by the Department every 5 years.
10 Community-based organizations delivering program elements
11 outlined in subsection (d) may provide all elements required
12 or may subcontract to other entities for provision of portions
13 of program elements, including, but not limited to,
14 administrative soft and hard skills for program participants,
15 delivery of specific training in the core curriculum, or
16 provision of other support functions for program delivery
17 compliance. The Department and the Regional Administrators,
18 with input from the Advisory Board, shall develop uniform
19 minimum contractual requirements for competitively selected
20 community-based organizations to provide the Program, uniform
21 minimum contractual requirements for all Program subcontracts,
22 and uniform templates for requests for proposals for all
23 Program subcontracts.

24 (d) The Clean Jobs Workforce Hubs Network shall provide
25 all of the following program elements:

26 (1) Community education and outreach about workforce

1 and training opportunities to ensure the following persons
2 are informed of clean energy workforce and training
3 opportunities: (i) low-income persons; (ii) persons
4 residing in environmental justice communities; (iii) BIPOC
5 persons; (iv) justice-involved persons; (v) persons who
6 are or were in the child welfare system; (vi) energy
7 workers; (vii) members of any of these groups who are also
8 women, transgender, or gender nonconforming persons; and
9 (viii) members of any of these groups who are also youth.

10 (2) Implementation of the Clean Jobs Curriculum, which
11 may include, but is not limited to training,
12 preapprenticeship, certification preparation, job
13 readiness, and skill development, including soft skills,
14 math skills, technical skills, certification test
15 preparation, and other development needed for Program
16 participant members of disadvantaged communities specified
17 in subsection (b) of Section 5-510.

18 (3) Development of strategies to ensure that
19 participant members of communities specified in subsection
20 (b) of Section 5-510 are invited, supported, and given
21 preference in applying for both community-based and
22 labor-based training opportunities, including
23 apprenticeship and preapprenticeship programs, as well as
24 degree and certificate credentials training programs.
25 Strategies shall include, but are not limited to, targeted
26 outreach and recruitment activities and events, and

1 strategies may include, but are not limited to,
2 articulation or matriculation agreements and memoranda of
3 understanding with community-based and labor-based
4 training opportunities, including preapprenticeship and
5 apprenticeship programs, as well as degree and certificate
6 credential training programs where relevant.

7 (4) A living wage-equivalent stipend program for
8 Program participants to compensate for time in clean
9 energy jobs-related training programs and help them pay
10 for necessary living expenses during the training. This
11 stipend shall be supplemented by funding for
12 transportation, child care, certification preparation and
13 testing fees, textbooks, tools and equipment, as well as
14 other services and supplies needed to reduce barriers to
15 their continued training and future employment during the
16 length of programs.

17 (5) Job readiness, placement, and retention support
18 services, which may include, but are not limited to,
19 assistance in creating a resume, training in professional
20 networking skills, training in job interview skills and
21 preparation, on-the-job support and counseling, conflict
22 resolution skills, financial literacy and coaching, and
23 training in how to find open positions and pursuing
24 opportunities to meet hiring contractors in training and
25 apprenticeship programs to connect trainees to both union
26 and nonunion career options with businesses, nonprofit

1 organizations, worker-owned cooperatives, and other
2 entities that provide clean energy jobs opportunities and
3 to provide a direct resource for industry to identify
4 qualified workers to meet program hiring or subcontracting
5 requirements including, the workforce equity building
6 actions required under Section 1-75 of the Illinois Power
7 Agency Act and Section 16-128B of the Public Utilities
8 Act. Placement activities shall include outreach to public
9 agencies and utilities, as well as outreach to businesses,
10 nonprofit organizations, worker-owned cooperatives, and
11 other entities that provide clean energy jobs
12 opportunities.

13 (6) Recruitment, communications, and ongoing
14 engagement with potential employers, including, but not
15 limited to, activities such as job matchmaking
16 initiatives, hosting events such as job fairs, and
17 collaborating with other Hub Sites to identify and
18 implement best practices for employer engagement.

19 (e) Within 90 days after the effective date of this Act,
20 the Department shall competitively select a community-based
21 organization to assist with pre-Program launch public
22 communications and stakeholder tracking, which shall begin
23 within 120 days after the effective date of this Act and shall
24 continue through Program launch. The Department may elect to
25 initiate pre-Program communication of updates to the public
26 between the effective date of this Act and competitive

1 selection of a community-based organization to assist.
2 Pre-Program launch communications and stakeholder tracking
3 functions shall include, but are not limited to: (1)
4 developing an initial email subscription list so that
5 interested stakeholders and interested members of the public
6 may sign up to receive email updates about the status of
7 Program implementation, (2) develop an initial basic website
8 including the initial email list subscription form and a page
9 where public pre-Program updates shall be posted, (3) develop
10 initial social media accounts where public pre-Program updates
11 shall be posted, and (4) coordinate with the Department,
12 Regional Administrators, and Advisory Board members to solicit
13 information for the purposes of updating the public, as
14 approved by the Department. Pre-Program updates shall include,
15 but are not limited to, information about implementation
16 timelines, selection of Hub Sites, selection of Advisory Board
17 members, selection of Regional Administrators, selection of
18 contracted organizations, updates from the Advisory Board, and
19 other significant Program Administration updates. Pre-Program
20 updates shall be disseminated to the public through the
21 website, email list, and social media accounts no less
22 frequently than once per month. Following Program launch, the
23 Department shall either (A) assume direct fulfillment of all
24 responsibilities of public communications and stakeholder
25 tracking directly or (B) elect to continue to competitively
26 select a community-based organization to continue these

1 functions and develop all initial functions into ongoing
2 Program functions. If the Department elects to continue to
3 competitively contract these functions, the Department may
4 either: (i) elect to extend the contract to the competitively
5 selected community-based organization delivering these
6 functions during the pre-Program launch period, and may do so
7 for a period to be determined by the Department, but to not
8 exceed 2 years following Program launch; or (ii) elect to
9 competitively select another community-based organization to
10 fulfill communications and stakeholder tracking functions. The
11 Department shall subsequently competitively select a
12 community-based organization to fulfill communications and
13 stakeholder tracking functions every 2 years.

14 Section 5-520. Regional administrators.

15 (a) The Clean Jobs Workforce Hubs Network Program shall be
16 administered by 3 Regional Administrators as described in
17 Section 5-130 of Part 1 of this Act.

18 (b) The Advisory Board shall have the duties given to it by
19 Part 1 of this Act as it relates to the Program. In addition,
20 the Advisory Board shall provide recommendations to the
21 Department to complement the gap analysis and selection of 3
22 Primary Hub Sites as specified in Section 5-130 of Part 1 of
23 this Act.

24 (c) The Department shall require submission of quarterly
25 reports including program performance metrics by each Hub Site

1 to the Regional Administrator of their Program Delivery Area,
2 as specified in subsection (a) of Section 5-1015 of Part 10, in
3 a time and manner as prescribed by the Department. Each
4 Regional Administrator shall collect, track, and
5 simultaneously submit quarterly reports to the Department and
6 the members of the Advisory Board, including program
7 performance metrics reported in a format that allows for
8 review of the metrics both (i) for each individual Hub Site and
9 (ii) aggregated by Program Delivery Area. Each Regional
10 Administrator shall provide technical assistance to each
11 individual Hub Site in their Program Delivery Area in building
12 systems and capacity to collect data. Program Performance
13 metrics include, but are not limited to, the following
14 information collected for each Program trainee, where
15 applicable:

16 (1) demographic data, including racial, gender, and
17 geographic distribution data, on Program trainees entering
18 the Program;

19 (2) demographic data, including racial, gender, and
20 geographic distribution data, on Program trainees
21 graduating the Program;

22 (3) demographic data, including racial, gender, and
23 geographic distribution data, on Program trainees who are
24 placed in employment, including the percentages of
25 trainees by race, gender, and geographic categories in
26 each individual job type or category and whether

1 employment is union, nonunion, or nonunion via temp
2 agency;

3 (4) trainee job retention statistics, including the
4 duration of employment (start and end dates of hires) by
5 race, gender, and geography;

6 (5) hourly wages, including hourly overtime pay rate,
7 and benefits of trainees placed into employment by race,
8 gender, and geography;

9 (6) percentage of jobs by race, gender, and geography
10 held by Program trainees or graduates that are full-time
11 equivalent positions, meaning that the position held is
12 full-time, direct, and permanent based on 2,080 hours
13 worked per year (paid directly by the employer, whose
14 activities, schedule, and manner of work the employer
15 controls, and receives pay and benefits in the same manner
16 as permanent employees); and

17 (7) qualitative data consisting of open-ended
18 reporting on pertinent issues, including, but not limited
19 to, qualitative descriptions accompanying metrics or
20 identifying key successes and challenges.

21 The Department shall also, on a quarterly basis, make the
22 program performance metrics provided under this subsection (c)
23 available to the public on its website and on the Program
24 website.

25 (d) Within 3 years after the effective date of this Act,
26 and subsequently at least once every 3 years thereafter, the

1 Department shall select an independent evaluator to review and
2 prepare a report on the performance of the Program and the
3 Regional Administrators. The evaluation shall be based on, but
4 not limited to, the quantitative and qualitative program
5 performance metrics specified in subsection (g) and objective
6 criteria developed through a comprehensive public stakeholder
7 process. In preparing the report, the independent evaluator
8 shall include participation and recommendations from persons
9 including, but not limited to, members of the Advisory Board,
10 additional Program participants who are not already serving as
11 members of the Advisory Board, and additional Program
12 stakeholders including organizations in environmental justice
13 communities and organizations serving low-income persons and
14 families. The report shall include a summary of the evaluation
15 of the Program, as well as an appendix including a review of
16 submitted recommendations and a compilation of reported
17 program performance metrics for the period covered by the
18 evaluation. The report shall be posted publicly on the
19 Department's website and the Program website, and shall be
20 used, as needed, to improve implementation of the Program.
21 Between evaluation due dates, the Department shall maintain
22 the necessary records and information required to satisfy the
23 evaluation requirements.

24 Section 5-525. Clean jobs curriculum.

25 (a) Within 90 days after the effective date of this Act,

1 the Department shall convene a comprehensive stakeholder
2 process that includes representatives from the Illinois State
3 Board of Education, the Illinois Community College Board, the
4 Department of Labor, community-based organizations, workforce
5 development providers, labor unions, building trades,
6 educational institutions, residents of BIPOC and low-income
7 communities, residents of environmental justice communities,
8 as well as clean energy businesses, nonprofit organizations,
9 worker-owned cooperatives, other groups that provide clean
10 energy jobs opportunities, and other participants to identify
11 the career pathways and training curriculum needed to prepare
12 workers to enter clean energy jobs as defined in Section 5-115
13 and build careers. The curriculum shall:

14 (1) identify the core training curricular competency
15 areas needed to prepare workers to enter clean energy jobs
16 as defined in Section 5-115, such as those included in,
17 but not limited to, the Multi-Craft Core Curriculum, U.S.
18 Department of Labor Employment and Training
19 Administration-sponsored CareerOneStop Renewable Energy
20 Competency Model, the Electric Vehicle Infrastructure
21 Training Program;

22 (2) identify a set of certifications relevant for
23 clean energy job types to be included in respective
24 training programs and used to inform core training
25 Curricular competency areas, such as, but not limited to,
26 North American Board of Certified Energy Practitioners

1 (NABCEP) Board Certifications, Interstate Renewable Energy
2 Council (IREC) Accredited Certificate Programs, American
3 Society of Heating, Refrigerating and Air-Conditioning
4 Engineers (ASHRAE) ANSI/ISO accreditation standard
5 certifications, Electric Vehicle Infrastructure Training
6 Program Certifications, and UL Certification for EV
7 infrastructure;

8 (3) identify a set of required core cross-training
9 competencies provided in each training area for clean
10 energy jobs with the goal of enabling any trainee to
11 receive a standard set of skills common to multiple
12 training areas that would provide a foundation for
13 pursuing a career composed of multiple clean energy job
14 types;

15 (4) include approaches to integrate broad occupational
16 training to provide career entry into the general
17 construction and building trades sector and any remedial
18 education and work readiness support necessary to achieve
19 educational and professional eligibility thresholds;

20 (5) identify, directly or through references to
21 external resources, career pathways for clean energy jobs
22 types, such as, but not limited to, pathways identified
23 in: IREC Careers in Climate Control Technology Map, IREC
24 Solar Career Map for Workforce Training, NABCEP
25 Certification Career Map, and U.S. Department of Labor's
26 Bureau of Labor Statistics Green Jobs Initiative; and

1 (6) identify on-the-job training formats, where
2 relevant; and identify suggested trainer certification
3 standards, where relevant.

4 (b) Within 180 days after the stakeholder process is
5 convened, the Department shall publish a report that includes
6 the findings, recommendations, and core curriculum identified
7 by the stakeholder group and shall post a copy of the report on
8 its public website. The Department shall convene the process
9 described to update and modify the recommended curriculum
10 every 3 years to ensure the curriculum contents are current to
11 the evolving clean energy industries, practices, and
12 technologies.

13 (c) Organizations that receive funding to provide training
14 under the Clean Jobs Workforce Hubs Network Program,
15 including, but not limited to, community-based and labor-based
16 training providers, and educational institutions must use the
17 core curriculum that is developed under this Section.

18 Section 5-530. Funding. To provide direct, sustained
19 support for the Program, the Department shall be responsible
20 for overseeing the development and implementation of the
21 Program, and each year shall, subject to appropriation,
22 allocate at least \$1,000,000 to each of the 16 community-based
23 organizations providing program elements at the 16 Hub Sites
24 described in this Act, including for the purposes of providing
25 Program elements through subcontracted entities. Funding of

1 \$26,000,000 for the Program shall be made available from the
2 Energy Community Reinvestment Fund.

3 Section 5-535. Administrative review. All final
4 administrative decisions, including, but not limited to,
5 funding allocation and rules issued, made by the Department
6 under this Part are subject to judicial review under the
7 Administrative Review Law and its rules. No action may be
8 commenced under this Section prior to 60 days after the
9 complainant has given notice in writing of the action to the
10 Department.

11 Part 10. Expanding Clean Energy Entrepreneurship
12 and Contractor Incubator Network Program

13 Section 5-1001. Definition. As used in this Part,
14 "Program" means the Expanding Clean Energy Entrepreneurship
15 and Contractor Incubator Network Program.

16 Section 5-1005. Expanding Clean Energy Entrepreneurship
17 and Contractor Incubator Network Program.

18 (a) The Department shall develop and, through Regional
19 Program Administrators, administer the Expanding Clean Energy
20 Entrepreneurship and Contractor Incubator Network Program to
21 create a network of 16 Program delivery Hub Sites with program
22 elements delivered by community-based organizations and their

1 subcontractors geographically distributed across the State.

2 (b) The Program shall provide direct and sustained support
3 for the development and growth of BIPOC participant
4 contractors and provide the needed resources for entities to
5 be able to effectively compete for, gain, and execute clean
6 energy-related projects that create clean energy jobs. The
7 Program shall provide direct and sustained support for a
8 portion of disadvantaged BIPOC contractors in the Program who
9 are previous graduates of the Clean Jobs Workforce Hubs
10 Network Program to further develop wealth-building
11 opportunities, and career paths in clean energy contracting
12 and the creation of clean energy jobs.

13 Section 5-1010. Expanding Clean Energy Entrepreneurship
14 and Contractor Incubator Network.

15 (a) The Department shall develop and, through Regional
16 Program Administrators, administer the Expanding Clean Energy
17 Entrepreneurship and Contractor Incubators Network.

18 (b) The Clean Energy Entrepreneurship and Contractor
19 Incubator Network Program shall be made up of 16 Program
20 delivery Hub Sites geographically distributed across the
21 State, including at least one Hub Site located in or near each
22 of the following areas: Chicago (South Side), Chicago
23 (Southwest Side), Waukegan, Rockford, Aurora, Joliet, Peoria,
24 Champaign, Danville, Decatur, Carbondale, East St. Louis, and
25 Alton. Three additional sites shall be determined by the

1 Department within 240 days after the effective date of this
2 Act based on a gap analysis identifying areas with high
3 concentrations of low-income residents, environmental justice
4 communities, and energy workers that are otherwise underserved
5 by the other 13 Hub Sites, as well as review of advisory
6 recommendations from the Advisory Board. One of the additional
7 sites shall be located in the Northern Illinois Program
8 Delivery Area covering Northern Illinois, one of the
9 additional sites shall be located in the Central Illinois
10 Program Delivery Area covering Central Illinois, and one of
11 the additional sites shall be located in the Southern Illinois
12 Program Delivery Area covering Southern Illinois as specified
13 in Part 1 of this Act.

14 (c) Program elements at each Hub Site shall be provided by
15 a local community-based organization that shall be initially
16 competitively selected by the Department within 330 days after
17 the effective date of this Act and shall be subsequently
18 competitively selected by the Department every 5 years.
19 Community-based organizations delivering program elements
20 required in subsection (d) of this Section may provide all of
21 the elements required at each Hub Site or may subcontract to
22 other entities for the provision of portions of program
23 elements, including, but not limited to, administrative soft
24 and hard skills for program participants, delivery of training
25 in the core curriculum, or the provision of other support
26 functions for program delivery compliance. The Regional

1 Administrators, with input from the Program Advisory Board,
2 shall develop uniform minimum contractual requirements for
3 competitively selected community-based organizations to
4 provide the Program, uniform minimum contractual requirements
5 for all Program subcontracts, and uniform templates for
6 requests for proposals for all Program subcontracts.

7 (d) The Expanding Clean Energy Entrepreneurship and
8 Contractor Incubator Network Program shall provide the
9 following program elements:

10 (1) access to low-cost capital for small and BIPOC
11 clean energy businesses and contractors to be able to
12 compete on a level playing field with more established,
13 capitalized businesses across the entire clean energy
14 sector in Illinois, including solar, wind, energy
15 efficiency, transportation, electrification, solar
16 thermal, geothermal, and other renewable energy
17 industries;

18 (2) support for obtaining financial assurance,
19 including, but not limited to: bonding; back office
20 services; insurance, permits, training and certifications;
21 business planning; and other needs that will allow BIPOC
22 participant contractors to effectively compete for clean
23 energy-related projects, incentive programs, and approved
24 vendor and qualified installer opportunities;

25 (3) development, mentoring, training, networking, and
26 other support needed to allow BIPOC participant

1 contractors to: (i) build their businesses and connect to
2 specific projects, (ii) register as approved vendors where
3 applicable, (iii) engage in approved vendor subcontracting
4 and qualified installer opportunities, (iv) Develop
5 partnering and networking skills, (v) compete for capital
6 and other resources, and (vi) execute clean energy-related
7 project installations and subcontracts;

8 (4) outreach and communications capability to ensure
9 that BIPOC participant contractors, community partners,
10 and potential contractor clients are aware of and engaged
11 in the Program;

12 (5) prevailing wage compliance training and back
13 office support to implement prevailing wage practices; and

14 (6) recruitment, communications, and ongoing
15 engagement with potential entities that hire contractors
16 and subcontractors, and program administrators of programs
17 providing renewable energy resource-related projects,
18 incentive programs, and approved vendor and qualified
19 installer opportunities, including, but not limited to,
20 activities such as matchmaking initiatives, hosting
21 events, and collaborating with other Hub Sites to identify
22 and implement best practices for engagement.

23 (e) Within 90 days after the effective date of this Act,
24 the Department shall competitively select a community-based
25 organization to assist with pre-Program launch public
26 communications and stakeholder tracking, which shall begin

1 within 120 days after the effective date of this Act and shall
2 continue through Program launch. The Department may elect to
3 initiate pre-Program communication of updates to the public
4 between the effective date of this Act and competitive
5 selection of a community-based organization to assist.
6 Pre-Program launch communications and stakeholder tracking
7 functions shall include, but are not limited to, the
8 following: (1) developing an initial email subscription list
9 so that interested stakeholders and interested members of the
10 public may sign up to receive email updates about the status of
11 Program implementation, (2) develop an initial basic website
12 including the initial email list subscription form and a page
13 where public pre-Program updates shall be posted, (3) develop
14 initial social media accounts where public pre-Program updates
15 shall be posted, and (4) coordinate with the Department,
16 Regional Administrators, and Advisory Board members to solicit
17 information for the purposes of updating the public, as
18 approved by the Department. Pre-Program updates shall include,
19 but are not limited to, information about implementation
20 timelines, selection of Hub Sites, selection of Advisory Board
21 members, selection of Regional Administrators, selection of
22 contracted organizations, updates from the Advisory Board, and
23 other significant Program Administration updates. Pre-Program
24 updates shall be disseminated to the public through the
25 website, email list, and social media accounts no less
26 frequently than monthly. Following Program launch, the

1 Department shall either (A) assume direct fulfillment of all
2 responsibilities of public communications and stakeholder
3 tracking directly or (B) elect to continue contracting with a
4 competitively selected community-based organization to provide
5 these functions and develop all initial functions into ongoing
6 Program functions. If the Department elects to continue to
7 competitively contract these functions, the Department may
8 either (i) extend the contract to the competitively selected
9 community-based organization delivering the functions during
10 the pre-Program launch period, and may do so for a period to be
11 determined by the Department, but not to exceed 2 years
12 following Program launch, or (ii) elect to competitively
13 select another community-based organization to fulfill
14 communications and stakeholder tracking functions. The
15 Department shall subsequently competitively select a
16 community-based organization to fulfill communications and
17 stakeholder tracking functions once every 2 years.

18 Section 5-1015. Regional administrators.

19 (a) The Clean Energy Entrepreneurship and Contractor
20 Incubator Network Program shall be administered by 3 Regional
21 Administrators as described in Section 5-130 of Part 1 of this
22 Act. In addition, the Regional Administrators shall administer
23 the Departments loan and grant programs, where relevant, as
24 specified in subsection (a) of Section 5-1010 of this Part.

25 (b) The Advisory Board shall have the duties given to it by

1 the Part 1 of this Act as they relate to the Program. In
2 addition, the Advisory Board shall provide recommendations to
3 the Department to complement the gap analysis and selection of
4 3 Primary Hub Sites as specified in Section 5-130 of Part 1 of
5 this Act.

6 (c) The Department shall require submission of quarterly
7 reports including program performance metrics by each Hub Site
8 to the Regional administrator of their Program Delivery Area
9 as specified in subsection (a) of Section 5-1015 in a time and
10 manner prescribed by the Department. Each Regional
11 Administrator shall collect, track, and simultaneously submit
12 quarterly reports to the Department and the Advisory Board,
13 including program performance metrics reported in a format
14 that allows for review of the metrics both (i) for each
15 individual Hub Site and (ii) aggregated by Program Delivery
16 Area. Each Regional Administrator shall provide technical
17 assistance to each individual Hub Site in their Program
18 Delivery Area in building systems and capacity to collect
19 data. Program performance metrics include, but are not limited
20 to, the following information collected for each Program
21 participant:

22 (1) demographic data, including racial, gender, and
23 geographic distribution data, on BIPOC participant
24 contractors entering and graduating the Program;

25 (2) number of projects completed by BIPOC participant
26 contractors, solo or in partnership;

1 (3) number of partnerships with BIPOC participant
2 contractors that are expected to result in contracts for
3 work by the BIPOC participant contractor;

4 (4) changes, including growth, in BIPOC participant
5 contractors' business revenue;

6 (5) number of new hires by BIPOC participant
7 contractors;

8 (6) demographic data, including racial, gender, and
9 geographic distribution data as well as average wage data,
10 for new hires by BIPOC participant contractors;

11 (7) demographic data, including racial, gender, and
12 geographic distribution data of ownership of BIPOC
13 participant contractors;

14 (8) certifications held by BIPOC participant
15 contractors, including, but not limited to, registration
16 under Business Enterprise for Minorities, Women, and
17 Persons with Disabilities Act program and other programs
18 intended to certify BIPOC entities;

19 (9) number of Program sessions attended by BIPOC
20 participant contractors;

21 (10) indicators relevant for assessing general
22 financial health of BIPOC participant contractors; and

23 (11) qualitative data consisting of open-ended
24 reporting on pertinent issues, including, but not limited
25 to, qualitative descriptions accompanying metrics or
26 identifying key successes and challenges.

1 The Department shall, on a quarterly basis, make program
2 performance metrics provided under this subsection (g)
3 available to the public on its website and on the Program
4 website.

5 (d) Within 3 years after the effective date of this Act,
6 and subsequently at least once every 3 years, the Department
7 shall select an independent evaluator to evaluate and prepare
8 a report on the performance of the Program and Regional
9 Administrators. The evaluation shall be based on the
10 quantitative and qualitative program performance metrics and
11 reports specified in subsection (g) and objective criteria
12 developed through a comprehensive public stakeholder process.
13 The process shall include participation and recommendations
14 from Program participants, Advisory Board members, additional
15 current and former Program participants who are not already
16 serving as members of the Advisory Board, and additional
17 Program stakeholders, including organizations in environmental
18 justice communities and serving low-income persons and
19 families. The report shall include a summary of the evaluation
20 of the Program, as well as an appendix that includes a review
21 of submitted recommendations and a compilation of reported
22 program performance metrics for the period covered by the
23 evaluation. The report shall be posted publicly on the
24 Department's website and shall be used, as needed, to improve
25 implementation of the Program. The Department shall maintain
26 the necessary information and records required to satisfy the

1 evaluation requirements.

2 Section 5-1020. Jobs and Environmental Justice Grant
3 Program.

4 (a) In order to provide upfront capital to support the
5 development of projects, businesses, community organizations,
6 and jobs creating opportunity for Black, Indigenous, and
7 People of Color, the Program shall create and administer a
8 Jobs and Environmental Justice Grant Program. The grant
9 program shall be designed to help remove barriers to project,
10 community, and business development caused by a lack of
11 capital.

12 (b) The grant program shall provide grant awards of up to
13 \$1 million per application to support the development of
14 renewable energy resources as defined in Section 1-75 of the
15 Illinois Power Agency Act, and Energy Efficiency projects as
16 defined in Sections 8-103B and 8-104.1 of the Public Utilities
17 Act. The amount of a grant award shall be based on a project
18 size and scope. Grants shall be provided upfront, in advance
19 of other incentives, to provide businesses and organizations
20 with capital needed to plan, develop, and execute a project.
21 Grants shall be designed to coordinate with and supplement
22 existing incentive programs, such as the Adjustable Block
23 Program, the Solar for All Program, the Community Solar
24 Program, and renewable energy procurements as described in the
25 Illinois Power Agency Act, as well as utility Energy

1 Efficiency programs as described in Sections 8-103B and
2 8-104.1 of the Public Utilities Act.

3 (c) Grants shall be awarded to businesses and nonprofit
4 organizations for costs related to the following activities
5 and project needs:

6 (1) planning and project development, including costs
7 for professional services such as architecture, design,
8 engineering, auditing, consulting, and developer services;

9 (2) project application, deposit, and approval;

10 (3) purchasing and leasing of land;

11 (4) permitting and zoning;

12 (5) interconnection application costs and fees,
13 studies, and expenses;

14 (6) equipment and supplies;

15 (7) community outreach, marketing, and engagement;

16 (8) staff and operations expenses.

17 (d) Grants shall be awarded for projects that meet the
18 following criteria:

19 (1) provide community benefit, defined as greater than
20 50% of the project's energy provided or saved that
21 benefits low-income residents, not-for-profit
22 organizations providing services to low-income households,
23 affordable housing owners, or community-based limited
24 liability companies providing services to low-income
25 households. In the case of Community Solar projects,
26 projects must provide preferential or exclusive access for

1 local subscribers or donated power;

2 (2) are located in environmental justice communities,
3 as that term has been defined based on existing
4 methodologies and findings used by the Illinois Power
5 Agency and its Administrator of the Illinois Solar for All
6 Program;

7 (3) provide on-the-job training, as time and scope
8 permits;

9 (4) contract with contractors who are participating or
10 have participated in the Expanding Clean Energy
11 Entrepreneurship and Contractor Incubators Network
12 Program, or similar programs, for a minimum of 50% of
13 project costs; and

14 (5) employ a minimum of 51% of its workforce from
15 participants and graduates of the Clean Jobs Workforce
16 Hubs Network Program and Returning Residents Program as
17 described in this Act.

18 (e) Grants shall be awarded to applicants that meet the
19 following criteria:

20 (1) achieve a minimum of 105 points in the equity
21 points systems described in paragraph (7) of subsection
22 (c) of Section 1-75 of the Illinois Power Agency Act, or
23 meet the equity building criteria in paragraph (9.5) of
24 subsection (g) of Section 8-103B of the Public Utilities
25 Act or in paragraph (9.5) of subsection (j) of Section
26 8-104.1 of the Public Utilities Act; and

1 (2) provide demonstrable proof of a historical or
2 future, and persisting, long-term partnership with the
3 community in which the project will be located.

4 (f) The application process for the grant program shall
5 not be burdensome on applicants, nor require extensive
6 technical knowledge, and be able to be completed on less than 4
7 standard letter-sized pages.

8 (g) The Program shall coordinate its grant program with
9 the Clean Energy Jobs and Justice Fund to coordinate grants
10 under this program with low-interest and no-interest financing
11 opportunities offered by the fund.

12 (h) The grant program shall have a budget of \$20,000,000
13 per year, for a minimum of 4 years, and continued after that
14 until funds are no longer available or the program is ended by
15 the Department.

16 Section 5-1025. Funding. To provide direct, sustained
17 support for the Program, the Department shall be responsible
18 for overseeing the development and implementation of the
19 Program, and each year shall, subject to appropriation,
20 allocate at least \$800,000 to each of the 16 community-based
21 organizations providing program elements at the 16 Hub Sites
22 described in this Act, including for the purposes of providing
23 program elements through subcontracted entities. Funding of
24 \$21,000,000 per year for the Program shall be made available
25 from the Energy Community Reinvestment Fund, and funding of

1 \$20,000,000 per year for the Jobs and Environmental Justice
2 Grant Program shall be made available from the Energy
3 Community Reinvestment Fund.

4 Section 5-1030. Administrative review. All final
5 administrative decisions, including, but not limited to
6 funding allocation and rules issued, made by the Department
7 under this Part are subject to judicial review under the
8 Administrative Review Law and its rules. No action may be
9 commenced under this Section prior to 60 days after the
10 complainant has given notice in writing of the action to the
11 Department.

12 Part 15. Illinois Clean Energy Black, Indigenous, and
13 People of Color Primes Contractor Accelerator

14 Section 5-1501. Definitions. As used in this Part:

15 "Approved Vendor" means the definition of that term used
16 and as may be updated by the Illinois Power Agency.

17 "Contractor Incubator" means an incubator authorized under
18 Part 10 of this Act.

19 "Illinois Clean Energy Jobs and Justice Fund" means the
20 fund created in the Illinois Clean Energy Jobs and Justice
21 Fund Act.

22 "Mentor Company" means a private company selected to
23 provide business mentorship to Program participants as

1 described in Section 5-1535 of this Part.

2 "Minority Business" means a minority-owned business as
3 described in Section 2 of the Business Enterprise for
4 Minorities, Women, and Persons with Disabilities Act.

5 "Minority Business Enterprise certification" means the
6 certification or recognition certification affidavit from the
7 State of Illinois Department of Central Management Services
8 Business Enterprise Program or a program with equivalent
9 requirements more narrowly tailored to the needs of prime
10 contractors.

11 "Primes Program Administrator" means the entity or person
12 selected to be responsible for management of the Program as
13 established in Section 5-1505 of this Part.

14 "Regional Primes Program Lead" means the entity or person
15 selected to be responsible for management of the Program as
16 established in Section 5-1505 of this Part.

17 "Program" means the Illinois Clean Energy Black,
18 Indigenous, and People of Color Primes Contractor Accelerator
19 Program.

20 "Participant" means the persons and organizations selected
21 to participate in the Program.

22 "Returning Resident" is defined as in Part 20 of this Act.

23 "Workforce Hub" means a workforce training program
24 authorized under Part 5 of this Act.

25 Section 5-1505. Illinois Clean Energy Black, Indigenous,

1 and People of Color Primes Contractor Accelerator Program
2 components.

3 (a) The Department of Commerce and Economic Opportunity
4 shall create and implement, consistent with the requirements
5 of this Part, an Illinois Clean Energy Black, Indigenous, and
6 People of Color Primes Contractor Accelerator Program. The
7 offerings for Program participants shall include the
8 following:

9 (1) a 5-year, 6-month progressive course of one-on-one
10 coaching designed to assist each participant in developing
11 an achievable five-year business plan, including review of
12 monthly metrics, advice on achieving the Program
13 participant's goals such as obtaining relevant business
14 certifications and preparing for prime contracting
15 opportunities;

16 (2) operational support grants not to exceed \$1
17 million annually;

18 (3) interest-free and low-interest loans available
19 through the Illinois Clean Energy Jobs and Justice Fund or
20 comparable financial mechanism;

21 (4) business coaching by outside consultants, based on
22 the participant's individual needs;

23 (5) a mentorship of approximately 2 years provided by
24 a qualified company in the participant's field;

25 (6) full access to Contractor Incubator services
26 including courses and workshops, informational briefings

1 about opportunities created by the Clean Energy Jobs Act
2 and other Illinois focused clean energy opportunities,
3 access to jobs and project portals, contractor networking,
4 job fairs, and monthly contractor cohort meetings;

5 (7) technical assistance with applying for Minority
6 Business Enterprise certification and other relevant
7 certifications as well as Approved Vendor status for
8 Illinois programs offered by utilities or other similar
9 entities;

10 (8) technical assistance with preparing bids and
11 Request for Proposal applications for programs created by
12 the Clean Energy Jobs Act and other Illinois focused clean
13 energy opportunities;

14 (9) opportunities to participate in procurement
15 programs organized by the Department to provide bulk
16 discounts on tools, equipment, and supplies; and

17 (10) opportunities to be listed in any relevant
18 directories and databases organized by the Department.

19 (b) The Department and Primes Program Administrator shall
20 coordinate Program events and training designed to connect the
21 Program participants with the programs created in Parts II and
22 III of this Act.

23 (c) The Department and Primes Program Administrator shall
24 coordinate with the Illinois Power Agency's Adjustable Block
25 Program and Illinois Solar For All program to connect Program
26 participants with funding opportunities created by the

1 Adjustable Block Program and Illinois Solar For All program.

2 (d) The Department and Primes Program Administrator shall
3 coordinate with the electric, gas and water utilities to
4 connect Program participants with Approved Vendor and other
5 service provider and incentive opportunities in areas
6 including energy efficiency and electric vehicles.

7 (e) The Department and Primes Program Administrator shall
8 coordinate financial development assistance programs such as
9 zero- and low-interest loans with the Illinois Clean Energy
10 Jobs and Justice Fund or a comparable financing mechanism. The
11 Department and Primes Program Administrator shall retain
12 authority to determine loan repayment terms and conditions.

13 Section 5-1510. Program administration.

14 (a) The Department shall, in consultation with the
15 Advisory Board, hire or contract a Primes Program
16 Administrator within 180 days after the effective date of this
17 Act.

18 (b) The Department shall select a Primes Program
19 Administrator with the following qualifications:

20 (1) experience running a large contractor-based or
21 Approved Vendor business in Illinois;

22 (2) experience coaching businesses;

23 (3) experience participating in or managing a
24 mentorship program;

25 (4) experience in the Illinois clean energy industry;

1 (5) experience working with diverse, underserved, and
2 environmental justice communities; and

3 (6) experience working with or participating in
4 businesses owned by BIPOC persons.

5 (c) Responsibilities of the Primes Program Administrator.
6 The Primes Program Administrator shall be responsible for the
7 following:

8 (1) managing the Regional Primes Program Leads to
9 develop an 18-month Program budget as well as a 6-year
10 forecast to guide expenditures in the regions;

11 (2) working with the Regional Primes Program Leads to
12 design a Program application including a shareable
13 description of how participants will be selected;

14 (3) working with the Regional Primes Program Leads and
15 the partners in the programs described in Parts 5 and 10 of
16 this Act to publicize the Program;

17 (4) working with the Regional Primes Program Leads and
18 the Advisory Board to implement the recommendations on
19 acceptance of potential Program participants and awarded
20 funding;

21 (5) working with the Regional Primes Program Leads to
22 design and implement a mentorship program including
23 stipend level recommendations and guidelines for any
24 Mentor Company-mentee profit sharing or purchased services
25 agreements;

26 (6) working with the Regional Primes Program Leads to

1 ensure participants are quickly on-boarded into the
2 Program and begin tapping Program resources;

3 (7) collecting and reporting metrics related to cohort
4 recruiting and formation to the Department and the
5 Advisory Board;

6 (8) reviewing the work plans and annual goals of all
7 participants. Reviewing all approved Mentor Companies and
8 the stipends they will be awarded;

9 (9) conducting an annual assessment of the mentorship
10 program including Mentor Company and mentee interviews,
11 Mentor Company and mentee satisfaction ratings, and input
12 from the Regional Primes Program Leads and creating a
13 consolidated report for Department and the Advisory Board;

14 (10) consolidating and reporting metrics related to
15 participant contractor engagement in other Illinois clean
16 energy programs such as the Adjustable Block Program,
17 Illinois Solar for All, and the utility-run energy
18 efficiency and electric vehicle programs;

19 (11) reviewing each participant's annual progress
20 through the Program and any recommendations from the
21 Regional Primes Program Lead about whether the participant
22 should continue in the Program, be considered a Program
23 graduate, and whether adjustments to ongoing and future
24 grant money, loans and Contractor Incubator service access
25 are needed; and

26 (12) other duties as required to effectively and

1 equitably administer the Program.

2 (d) Within 90 days after being hired, the Primes Program
3 Administrator, in consultation with the Department and the
4 Advisory Board, shall contract with 3 Regional Primes Program
5 Leads. The Regional Primes Program Leads will report directly
6 to the Primes Program Administrator.

7 (e) The Regional Primes Program Leads selected by the
8 Primes Program Administrator shall have the following
9 qualifications:

10 (1) experience running a large contracting or Approved
11 Vendor business in Illinois;

12 (2) experience in the Illinois clean energy industry;

13 (3) experience coaching businesses;

14 (4) experience with a mentorship program;

15 (5) relationships with suitable potential Mentor
16 Companies in the region;

17 (6) experience working with diverse, underserved, and
18 environmental justice communities;

19 (7) experience working with or participating in
20 businesses owned by BIPOC persons; and

21 (8) ability and willingness to be located within the
22 region they will be leading.

23 (f) The Regional Primes Program Leads shall have the
24 following responsibilities:

25 (1) developing Program marketing materials and working
26 with the Workforce Hubs and Contractor Incubators in the

1 region and their community partners to publicize the
2 Program. The budget shall include funds to pay
3 community-based organizations with a track record of
4 working with diverse, underserved, and environmental
5 justice communities to complete this work;

6 (2) recruiting qualified Program applicants;

7 (3) assisting Program applicants in understanding and
8 completing the application process;

9 (4) coordinating with the Department and the Advisory
10 Board to select qualified applicants for Program
11 participation and determine how to allocate funding among
12 selected participants;

13 (5) introducing participants to the Program offerings;

14 (6) upon entry of each Program participant and each
15 year thereafter, conducting a detailed assessment with
16 each participant to identify needed training, coaching,
17 and other Program services;

18 (7) upon entry of each Program participant and each
19 year thereafter, assisting each participant in developing
20 goals in terms of each Program element, and assessing
21 progress toward meeting the goals established in previous
22 years' work plans;

23 (8) assisting Program participants in receiving their
24 Minority Business Enterprise certification and any other
25 relevant certifications and Approved Vendor statuses;

26 (9) matching each participant with Contractor

1 Incubator offerings and individualized expert coaching,
2 including training on working with returning residents and
3 the second chance companies that employ them, as needed;

4 (10) pairing each Program participant with a Mentor
5 Company;

6 (11) facilitating connections between each Program
7 participant to potential subcontractors and employees;

8 (12) dispensing each participant's awarded operational
9 grant funding;

10 (13) connecting each participant to zero- and
11 low-interest loans from the Illinois Clean Energy Jobs and
12 Justice Fund or a comparable financing mechanism;

13 (14) ensuring that each participant applies for
14 appropriate project opportunities funded by the State of
15 Illinois or businesses or individuals located within
16 Illinois;

17 (15) reviewing each participant's progress through the
18 Program and making a recommendation to the Department and
19 the Advisory Board about whether the participant should
20 continue in the Program, be considered a Program graduate,
21 and whether adjustments to ongoing and future grant
22 funding, loans and related service access overseen by the
23 Advisory Board are needed; and

24 (16) other duties as required to effectively and
25 equitably administer the Program.

1 Section 5-1515. Eligibility for program participation.

2 (a) The Program will accept applications to become Program
3 participants from any person with the following
4 qualifications:

5 (1) 2 or more years of experience in a clean energy or
6 a related contracting field;

7 (2) at least \$5,000 in annual business; and

8 (3) businesses with Minority Business Enterprise
9 certification or recognition certification affidavit from
10 the State of Illinois Department of Central Management
11 Services Business Enterprise program or that meet the
12 definition of a minority-owned business as described in
13 Section 2 of the Business Enterprise for Minorities, Women
14 and Persons with Disabilities Act.

15 (b) Applicants for Program participation shall be allowed
16 to reapply for a future cohort if they are not selected for
17 participation, and the Primes Program Administrator shall
18 inform each applicant of this option.

19 Section 5-1520. Participant selection.

20 (a) Each region will select a new cohort of participant
21 contractors every 18 months.

22 (b) Each regional cohort will include between 3 and 5
23 participants.

24 (c) The application for positions as a program participant
25 shall be standardized across regions and require the following

1 information:

2 (1) company history, financial information, and
3 visibility;

4 (2) list of up to the 5 most recent years' projects
5 with basic information including customer names and
6 locations, partner names if any, community profit-sharing
7 arrangements if any, and total revenues, payroll expenses
8 and subcontracting expenses;

9 (3) list of future projects, if any, with same details
10 as the paragraph (2);

11 (4) a year-by-year plan showing how program-requested
12 operational grants, program-requested zero-interest and
13 low-interest loans and self-funding, private investments
14 and completed project profits will create growth for the
15 applicant company; and

16 (5) details on partnerships, including any
17 community-based organizations partnership for workforce
18 development, subscriber recruitment and conducting
19 information sessions as well as subcontracting
20 relationships and sources of private capital. Projected
21 spending shall be included for these items.

22 (d) Applicants will be scored up to 50 points based on the
23 components outlined in subsection (c).

24 (e) Application who designate themselves as energy
25 efficiency applicants can be awarded additional points as
26 follows:

1 (1) Up to 15 points based on projected hiring and
2 industry job creation via subcontracting year-by-year,
3 including description of wages, salaries and benefits;

4 (2) Up to 15 points based on a clear vision of growing
5 the business in a strategic way;

6 (3) Up to 10 points based on a clear vision of how
7 increased capitalization would benefit the business;

8 (4) Up to 10 points based on past project performance
9 in the areas of work quality, adherence to best practices
10 and demonstration of technical knowledge;

11 (f) Applications who do not designate themselves as energy
12 efficiency applicants pursuant to paragraph (e) of this
13 Section can be awarded additional points as follows:

14 (1) Up to 10 points based on outside capital and
15 capacity the applicant is anticipated to bring to project
16 development;

17 (2) Up to 10 points based on ratio of grants to loans
18 requested as a measure of how much of the risk the
19 applicant is willing to assume;

20 (3) Up to 10 points based on the anticipated revenues
21 from future projects;

22 (4) Up to 10 points based on projected hiring and
23 industry job creation via subcontracting year-by-year,
24 including description of wages, salaries and benefits;

25 (5) Up to 10 points based on any model proposed to
26 build wealth in the larger underserved community through

1 profit sharing, transfer of asset ownership (such as solar
2 panels) and other means.

3 (g) The Primes Program Administrator shall select Program
4 participants based on the application score, the Program's
5 ability to accommodate the requested grants and loans, and the
6 expectation of a contractor cohort that approximates the
7 racial diversity in the region. The Primes Program
8 Administrator shall cap contractors in the energy efficiency
9 sector at 50% of available cohort spots and 50% of available
10 grants and loans if possible.

11 (h) Regional Primes Program Leads shall review
12 applications, conduct one-on-one interviews, and, if possible,
13 visit work sites of promising candidates.

14 (i) Regional Primes Program Leads shall recommend a cohort
15 of selected contractors and a corresponding budget to the
16 Primes Program Administrator for final approval. Applicants
17 not recommended for approval are allowed to petition the
18 Primes Program Administrator, the Department and the Advisory
19 Board for consideration.

20 (j) Regional Primes Program Leads shall make cohort
21 recommendations to the Primes Program Administrator, the
22 Department and the Advisory Board. Applicants may be asked to
23 make a short presentation to the Department and the Advisory
24 Board prior to a final determination on acceptance. Final
25 selection of contractor participants rests with the
26 Department.

1 Section 5-1525. Metrics and goals for program
2 participants.

3 (a) Upon each participant's acceptance into the Program,
4 the Regional Primes Program Leads shall solicit, and Program
5 participants shall be required to provide, the following
6 information to prepare a baseline report on the Program
7 participant's business:

8 (1) information necessary to understand the financial
9 health of the Program participant;

10 (2) income from past project development;

11 (3) the certifications that the Program participant is
12 seeking to obtain;

13 (4) employee data including salaries, length of
14 service and demographics;

15 (5) subcontractor data including demographics (if
16 available or applicable); and

17 (6) community profit-sharing and joint ownership data
18 (if available or applicable).

19 (b) The Regional Primes Program Leads shall to the
20 greatest extent practical establish a monthly metric reporting
21 system with each of the participating contractors and track
22 the metrics for progress against the contractor's work plan
23 and Program goals. Regional Primes Program Leads shall
24 compile, and require Program participants to provide
25 information for, the following metrics on a monthly basis:

1 (1) information necessary to understand the financial
2 health of the Program participant;

3 (2) information about project development including
4 bids submitted, projects started, projects completed and
5 related project-based expenses and income, and the
6 percentage of projects where contractor is acting as the
7 prime contractor;

8 (3) the certifications that the Program participant is
9 seeking to obtain and progress in obtaining those
10 certifications;

11 (4) employee data including salaries, length of
12 service and demographics, as well as whether any newly
13 hired employees are graduates of programs contained in the
14 Clean Jobs Workforce Hub Act;

15 (5) subcontractor data (if applicable) including
16 demographics, details on salaries, length of service and
17 demographics of any industry jobs created, and whether the
18 subcontractors are participants in or graduates of
19 programs contained in Part 10 of this Act;

20 (6) community profit-sharing and joint ownership data
21 (if available or applicable);

22 (7) amounts of grants and loans provided through the
23 Program;

24 (8) log of completed Program activities including
25 personalized training, coaching, and approximate hours of
26 Program support;

1 (9) log of interaction with the participant's Mentor
2 Company and the participant's satisfaction with the Mentor
3 Company relationship;

4 (10) information on the Program participant's
5 satisfaction with Regional Primes Program Lead and the
6 Program overall; and

7 (11) Upon graduation from the Program, participants
8 shall continue to provide metric data outlined in (1),
9 (4), (5) and (6) annually for 10 years.

10 (c) In accordance with the goal of creating an
11 individualized experience for each participant, nonperformance
12 issues with Program participants will be addressed with
13 one-on-one coaching from the Regional Primes Program Lead and
14 necessary resources. Individual contractor performance issues
15 shall be reported up to the Primes Program Administrator on a
16 quarterly basis with issues designated as "resolved", "in
17 remediation", or "needing a resolution" as appropriate.

18 (d) Individual contractors can request assignment to a
19 different Mentor Company if warranted.

20 Section 5-1530. Regional cohort and program-level metrics
21 and goals.

22 (a) Regional Primes Program Leads shall report the
23 following metrics and progress on indicated goals to the
24 Primes Program Administrator on a timeline established by the
25 Primes Program Administrator:

1 (1) cohort recruiting efforts, including the geography
2 targeted, events held, budget allocated for recruiting,
3 and audience-appropriateness of language and graphics in
4 all Program materials;

5 (2) program applications received;

6 (3) participant selection data including racial and
7 geographic breakdown;

8 (4) program participants with ongoing issues as
9 described in subsection (c) of Section 5-1525 of this
10 Part;

11 (5) retention of participants in each cohort;

12 (6) total projects bid, started, and completed by
13 participants, including information about revenue, hiring,
14 and subcontractor relationships with projects;

15 (7) total certifications issued;

16 (8) employment data for contractor hires and industry
17 jobs created including demographic, salary, length of
18 service and geographic data;

19 (9) grants and loans distributed;

20 (10) hours logged in activities including the
21 mentorship program; and

22 (11) program participant satisfaction with the
23 Program.

24 (b) The Primes Program Administrator shall compile data at
25 both the regional level and the overall Program level and
26 create quarterly reports for the Department and the Advisory

1 Board and an annual report for the Illinois General Assembly.
2 Reporting provided to the Department and General Assembly will
3 be anonymized to protect the data of Program participants,
4 although some reporting by zip code or other geographic
5 segment may be included. It will highlight how the Program is
6 building wealth through increased revenues of participating
7 companies, new hiring, creation of industry jobs, increased
8 revenues of the larger pool of BIPOC subcontractors and
9 through community arrangements that provide for passive income
10 streams and asset ownership.

11 Section 5-1535. Mentorship Program

12 (a) The Regional Primes Program Leads shall recruit
13 private companies to serve as mentors to Program participants.
14 The primary role of the Mentor Companies shall be to assist
15 Program participants in succeeding in the clean energy
16 industry.

17 (b) The Primes Program Administrator may select Mentor
18 Companies with the following qualifications:

19 (1) excellent standing with state clean energy
20 programs;

21 (2) 4 or more years of experience in the field in which
22 they will serve as a Mentor Company; and

23 (3) a proven track record of success in the field in
24 which they will serve as a Mentor Company.

25 (c) The Regional Primes Program Leads shall collaborate

1 with Mentor Companies and the mentee Program participants to
2 create a plan for ongoing contact in opportunities such as
3 on-the-job training, site walkthroughs, business process and
4 structure walkthroughs, quality assurance and quality control
5 reviews, and other relevant activities. Mentor Companies may
6 identify what level of stipend they require.

7 (d) The Regional Primes Program Lead shall recommend the
8 Mentor Company-mentee pairings and associated Mentor Company
9 stipends to the Primes Program Administrator for approval.

10 (e) The Regional Primes Program Lead shall conduct an
11 annual review of each Mentor Company-mentee pairing and
12 recommend whether it continues for a second year and the level
13 of stipend that is appropriate. The review will also ensure
14 that any profit-sharing and purchased services agreements
15 adhere to the guidelines established by the Primes Program
16 Administrator.

17 Section 5-1540. Program budget.

18 (a) The Department shall allocate \$3,000,000 annually to
19 the Primes Program Administrator for each of the 3 regional
20 budgets from the Energy Community Reinvestment Fund.

21 (b) Each regional budget will be developed collaboratively
22 by the Primes Program Administrator and the corresponding
23 Regional Primes Program Lead. The budget will cover Program
24 administration, Program publicity and candidate recruitment,
25 training and certification costs, operational support grants

1 for Program participants, Mentor Company stipends and loan
2 loss reserves for contractor capitalization as well as other
3 costs the Primes Program Administrator deems to be necessary
4 or beneficial for the implementation of the Program.

5 (c) The Primes Program Administrator shall conduct
6 budgeting in conjunction with Illinois Clean Energy Jobs and
7 Justice Fund or comparable financing institution so that loan
8 loss reserves are sufficient to underwrite \$7,000,000 in
9 low-interest loans in each of the 3 regions.

10 (d) All available grant and loan funding should be made
11 available to Program participants in a timely fashion.

12 Part 20. Returning Residents Clean Jobs Training Program

13 Section 5-2001. Purpose. The Returning Residents Clean
14 Jobs Training Program shall be established within the Illinois
15 Department of Commerce and Economic Opportunity in an effort
16 to assist inmates in their rehabilitation through training
17 that prepares them to successfully hold employment in the
18 clean energy jobs sector upon their release from
19 incarceration.

20 Section 5-2005. Definitions. As used in this Part:

21 "Commitment" means a judicially determined placement in
22 the custody of the Department of Corrections on the basis of
23 conviction or delinquency.

1 "Committed person" means a person committed to the
2 Department of Corrections.

3 "Correctional institution or facility" means a Department
4 of Corrections building or part of a Department of Corrections
5 building where committed persons are detained in a secure
6 manner.

7 "Discharge" means the end of a sentence or the final
8 termination of a detainee's physical commitment to and
9 confinement in the Department of Corrections.

10 "Program" means the clean energy jobs instruction
11 established by this Part.

12 "Program Administrator" means the person or entity
13 selected to administer and coordinate the work of the Illinois
14 Returning Residents Clean Jobs Training Program as established
15 in Section 5-2030 of this Part.

16 "Regional Administrator" means the person or entity
17 selected to administer and coordinate programs as described in
18 Section 5-130 of Part 1 of this Act.

19 "Returning resident" means any United States resident who
20 is: 17 years of age or older; in the physical custody of the
21 Department of Corrections and scheduled to be re-entering
22 society within 12 months.

23 Section 5-2010. Program.

24 (a) General. The Returning Residents Clean Jobs Training
25 Program shall be based on a curriculum designed to be as

1 similar as practical to the Clean Energy Jobs Training
2 Programs available for persons not committed as established in
3 Part 5 of this Act. The program shall include structured
4 hands-on activities in correctional institutions or
5 facilities, including classroom spaces and outdoor spaces, to
6 instruct participants in the core curriculum established in
7 Part 5 of this Act.

8 (b) Connected Services. The program shall be designed and
9 operated to allow participants to graduate from the program as
10 hireable in the solar power and energy efficiency industries.
11 The program shall provide participants with the knowledge and
12 ability to access the necessary mental health, case
13 management, and other support services, both during the
14 program and after graduation, to ensure they are successful in
15 the clean energy jobs sector.

16 (c) Recruitment of Participants. The Program
17 Administrators shall implement a recruitment process to
18 educate committed persons on the benefits of the program and
19 how to enroll in the program. This recruitment process must
20 reach both men's correctional institutions and facilities and
21 women's correctional institutions and facilities.

22 (d) Connection to Employers. The Program Administrators
23 shall be responsible for connecting program graduates with
24 potential employers in the solar power and energy efficiency
25 and related industries. The Regional Administrators shall
26 assist the Program Administrators with this task.

1 (e) Graduation. Participants who successfully complete all
2 assignments in the program shall be considered graduates and
3 shall receive a program graduation certificate, as well as any
4 certifications earned in the process.

5 Section 5-2015. Administrative rules; eligibility.

6 (a) A committed person in a correctional institution or
7 facility is eligible if the committed person:

8 (1) is not prohibited by Illinois statute from
9 entering a residence or public building as a result of a
10 previous conviction;

11 (2) is within 12 months of expected release;

12 (3) volunteers, or is recommended to participate, with
13 a strong interest in the program and in securing and
14 keeping a clean energy job upon completion of the program
15 and release;

16 (4) meets all program and testing requirements;

17 (5) is willing to follow all program requirements; and

18 (6) is willing to participate in all prescribed
19 program events including the required wrap-around/support
20 services.

21 (b) The Department of Corrections shall provide data
22 needed to determine eligibility and work with the Program
23 Administrator to select individuals for the training program.

24 Section 5-2020. Program entry and testing requirements.To

1 enter the Returning Residents Clean Jobs Training Program,
2 committed persons must complete a simple application, undergo
3 an interview and coaching session, and pass the Test for Adult
4 Basic Education. The Returning Residents Clean Jobs Training
5 Program shall include a one week "pre" program boot camp that
6 ensures the candidates understand and are interested in
7 continuing the program. Candidates that successfully complete
8 the "pre" program boot camp shall continue to the full
9 program.

10 Section 5-2025. Administrative rules; drug testing. A
11 clean drug test is required to complete the Returning
12 Residents Clean Jobs Training Program. A drug test shall be
13 administered at least once prior to graduation, and, if
14 positive, it shall not result in immediate expulsion, but
15 outreach must be performed to offer assistance and mitigation.
16 An additional clean test is then required to complete the
17 program.

18 Section 5-2030. Curriculum and program administration.

19 (a) Curriculum.

20 (1) General. The Returning Residents Clean Jobs
21 Training Program shall be based on a curriculum designed
22 to be as similar as practical to the Clean Energy Jobs
23 Training Programs available for persons not committed as
24 established in Part 5 of this Act, with a focus on

1 preparing graduates for employment in the solar power and
2 energy efficiency industries.

3 (2) Curriculum design and public comment. The
4 Department shall design a draft curriculum for the
5 implementation of the Returning Residents Clean Jobs
6 Training Program by making adjustments to the Clean Energy
7 Jobs Training Programs curriculum to meet in-facility
8 requirements. The Department shall consult with the
9 Department of Corrections to ensure all curriculum
10 elements may be available within Department of Corrections
11 facilities. The Department shall then publish the draft
12 curriculum no more than 120 days after the effective date
13 of this Act, and solicit public comments on the draft
14 curriculum for at least 30 days prior to beginning program
15 implementation.

16 (3) Curriculum goals and skills. Program participants
17 shall be instructed in skills that prepare them for
18 employment in the clean energy industry. The Program shall
19 focus on solar and energy efficiency training, including
20 both technical and soft skills necessary for success in
21 the field.

22 (A) Solar power training. Program participants
23 shall receive training focused on accessing
24 opportunities in the solar industry and earning the
25 necessary certifications to work in the solar industry
26 as a solar tech including installation, maintenance,

1 technical work, and sales.

2 (B) Energy efficiency training. Program
3 participants shall receive training focused on
4 accessing opportunities in the energy efficiency
5 industry and earning the necessary certifications to
6 work in the energy efficiency industry through
7 training in building science principles, sales of
8 solar technology, installation, maintenance, and the
9 skills needed to become an energy auditor, building
10 analyst, or HVAC Tech.

11 (C) Additional hard and soft skills for clean
12 energy jobs. Training shall include, but is not
13 limited to, job readiness training, mental health
14 assessment and services, and addiction recovery
15 services.

16 (4) Guidebook. The Program Administrators shall
17 collaborate to create and publish a guidebook that allows
18 for the implementation of the curriculum and provides
19 information on all necessary and useful resources for
20 program participants and graduates.

21 (b) Program administration.

22 (1) Program administrators.

23 (A) Within 210 days after the effective date of
24 this Act, the Department shall complete the following:

25 (i) Convene a comprehensive stakeholder
26 process that includes, at minimum, representatives

1 from community-based organizations in
2 environmental justice communities,
3 community-based organizations serving low-income
4 persons and families, community-based
5 organizations serving energy workers, and labor
6 unions, to seek input on the administration of
7 this program.

8 (ii) Gather input from the comprehensive
9 stakeholder process and publish a summary of the
10 input received during the stakeholder process,
11 along with an implementation plan incorporating
12 input from the stakeholder process on the
13 Department website or the initial Program website.
14 The implementation plans shall also be provided to
15 the Advisory Board.

16 (iii) Hold a 30-day public comment period
17 seeking input on the implementation plans.

18 (iv) In consultation with the Regional
19 Administrators and Advisory Board, select a
20 Program Administrator for each of the three
21 regions: North, Central, and South, to administer
22 and coordinate the work of the Illinois Returning
23 Residents Clean Jobs Training Program. Candidates
24 shall be evaluated with input from the Advisory
25 Board.

26 (B) The Program Administrators shall have strong

1 capabilities, experience, and knowledge related to
2 program development and economic management; cultural
3 and language competency needed to be effective in the
4 respective communities to be served; expertise in
5 working in and with BIPOC and environmental justice
6 communities; knowledge and experience in working with
7 providers of clean energy jobs; and awareness of solar
8 power and energy efficiency industry trends and
9 activities, workforce development best practices, and
10 regional workforce development needs, and community
11 development. The Program Administrators shall
12 demonstrate a track record of strong partnerships with
13 community-based organizations.

14 (C) The Program Administrators shall coordinate
15 with Regional Administrators and the Clean Jobs
16 Workforce Hubs Network Program to ensure execution,
17 performance, partnerships, marketing, and program
18 access across the State that is as consistent as
19 possible while respecting regional differences. The
20 Program Administrators shall work with partner
21 community-based organizations in their respective
22 regions and Program Delivery Areas to deliver the
23 Program.

24 (D) The Program Administrators shall collaborate
25 to create and publish an employer "Hiring Returning
26 Residents" handbook that includes benefits and

1 expectations of hiring returning residents, guidance
2 on how to recruit, hire, and retain returning
3 residents, guidance on how to access state and federal
4 tax credits and incentives, resources from federal and
5 state, guidance on how to update company policies to
6 support hiring and supporting returning residents, and
7 an understanding of the harm in one-size fits all
8 policies toward returning residents. The handbook
9 shall be updated every 5 years or more frequently if
10 needed to ensure its contents are accurate. The
11 handbook shall be made available on the Department's
12 website.

13 (E) The Program Administrators shall work with
14 potential employers and employers who hire graduates
15 to collect data needed to ensure program participant
16 success and to evaluate success of the program,
17 including, but not limited to:

18 (i) candidates interviewed and hiring status;

19 (ii) graduate employment status, such as hire
20 date, salary grade changes, hours worked, and
21 separation date;

22 (iii) key demographics by project or project
23 category; and

24 (iv) continuing education and certifications
25 gained by program graduates.

26 The Program Administrators will work with

1 potential employers to promote company policies to
2 support hiring and supporting returning residents via
3 employee/employer liability, coverage, insurance,
4 bonding, training, hiring practices, and retention
5 support. The Program Administrator will provide
6 services such as, but not limited to, job coaching and
7 financial coaching to program graduates to support
8 their employment longevity. The Program Administrators
9 shall report data needed to ensure program participant
10 success and to evaluate success of the program to the
11 Department, Regional Administrators, and Advisory
12 Board.

13 (F) The Program Administrators shall identify
14 clean energy job opportunities and assist participants
15 in achieving employment. The program shall include at
16 least one job fair; include job placement discussions
17 with clean energy employers; establish a partnership
18 with Illinois solar energy businesses and trade
19 associations to identify solar employers that support
20 and hire returning residents, and; involve the
21 Department, Regional Administrators, and the Advisory
22 Board in finding employment for participants and
23 graduates in the solar power and energy efficiency
24 industries.

25 (G) The Program Administrators shall work with
26 graduates to maintain contact, including quarterly

1 check-ins, and ensure access to the necessary mental
2 health, case management, and other support services,
3 both during the program and after graduation, to
4 ensure they are successful in the clean energy jobs
5 sector.

6 (2) Community Organizations. Program Administrators
7 may contract with local community-based organizations to
8 provide program elements at each facility. Contracts with
9 local community-based organizations shall be initially
10 competitively selected by the Department within 330 days
11 after the effective date of this Act and shall be
12 subsequently competitively selected by the Department
13 every 5 years. Community-based organizations delivering
14 the program elements outlined may provide all elements
15 required or may subcontract to other entities for the
16 provision of portions of program elements, including, but
17 not limited to, administrative soft and hard skills for
18 program participants, delivery of specific training(s) in
19 the core curriculum, or provision of other support
20 functions for program delivery compliance. The Department
21 and the Regional Administrators shall collaborate to
22 develop uniform minimum contractual requirements for
23 competitively selected community-based organizations to
24 provide the Program, uniform minimum contractual
25 requirements for all Program subcontracts, and uniform
26 templates for Requests For Proposals for all Program

1 subcontracts.

2 (3) Scheduling and Delays. The Department should aim
3 to include training in conjunction with other pre-release
4 procedures and movements. Delays in a workshop being
5 provided shall not cause delays in discharge. Detainees
6 may not be prevented from attending workshops due to
7 staffing shortages, lockdowns, conflicts with family or
8 legal visits, court dates, medical appointments,
9 commissary visits, recreational sessions, dining, work,
10 class, or bathing schedules. In case of conflict or
11 staffing shortages, returning residents must be given full
12 opportunity to attend a workshop at a later time.

13 (4) Coordination with Clean Jobs Workforce Hubs
14 Network Program, established by Part 5 of this Act to
15 Provide Pre-Release Training. The Program Administrators
16 may establish shortened Clean Jobs Training Programs at
17 facilities that are designed to prepare and place
18 graduates in the Clean Jobs Workforce Hubs following
19 release from commitment. These programs may focus on
20 technical skills that prepare participants for clean
21 energy jobs as well as other generalized workforce and
22 life skills necessary for success. Any graduate of these
23 programs must be guaranteed placement in a Clean Jobs
24 Workforce Hub training program.

25 Section 5-2035. Advisory Board and program management.

1 (a) The Advisory Board shall review the Returning
2 Residents Clean Jobs Training Program, implement and enforce
3 the policies and requirements of the program and the Program
4 Administrators, and review, approve, and make adjustments to
5 the implementation policies and deliverables of the Program
6 Administrators and other program implementers. The Advisory
7 Board shall ensure that metrics and a reporting structure are
8 in place to support successful implementation. These metrics
9 shall include, but are not limited to:

10 (1) demographics of each entering and graduating
11 class;

12 (2) percent of graduates employed at 6 and 12 months
13 after release;

14 (3) recidivism rate of program participants at 3 and 5
15 years after release; and

16 (4) information on the type of employment, whether
17 full or part time or seasonal, and pay rates achieved by
18 program graduates.

19 The metrics and performance outcomes shall be shared with
20 the Department and with Program Administrators and
21 implementers for the program created by Part 5 of this Act. All
22 program implementers should have input before major changes to
23 policy, metrics, or outcomes are determined. Program metrics
24 and performance outcomes shall be published on the
25 Department's website annually.

26 (b) The Director of the Department of Corrections shall

1 ensure that the wardens or superintendents of all correctional
2 institutions and facilities visibly post information on the
3 program in common areas of their respective institutions,
4 broadcast the same via in-house institutional information
5 television channels, and distribute updated information in a
6 timely, visible, and accessible manner.

7 (c) All program content and materials shall be distributed
8 annually to the Community Support Advisory Councils of the
9 Department of Corrections for use in re-entry programs across
10 this State.

11 Section 5-2040. Returning Residents Clean Jobs Training
12 Program monitoring and enforcement.

13 (a) The Director of Corrections shall ensure that wardens
14 or superintendents, program, educational, and security and
15 movement staff permit program workshops to take place, and
16 that returning residents are escorted to workshops in a
17 consistent and timely manner.

18 (b) Compliance with this Part shall be monitored by a
19 report published annually by the Department of Corrections
20 containing data, including numbers of returning residents who
21 enrolled in the program, numbers of returning residents who
22 completed the program, and total numbers of individuals
23 discharged. Other data that shall be collected include the
24 number of people hired, the type of employment (full-time
25 versus part-time; permanent versus seasonal short-term

1 contract), the salary grade of people hired every 3 months,
2 certifications of people hired every 3 months, the demographic
3 mix of project teams per project, and the recidivism rate over
4 3 to 5 years. Data shall be disaggregated by institution,
5 discharge, or residence address of resident, and other
6 factors.

7 Section 5-2045. Funding. The Funding for this program
8 shall be subject to appropriation from the Energy Community
9 Reinvestment Fund and other sources. The Director of the
10 Department of Commerce and Economic Opportunity may, upon
11 consultation with the Director of Corrections, allocate
12 funding to the Department of Corrections as necessary to
13 offset costs incurred by the Departments of Corrections in
14 program implementation.

15 Section 5-2050. Access. The program instructors and staff
16 shall have access to Department of Corrections institutions
17 and facilities as needed, including, but not limited to,
18 classroom space and outdoor space, with an expectation that
19 they shall follow all facility procedures and protocols.

20 Article 10. Illinois Clean Energy

21 Jobs and Justice Fund Act

22 Section 10-1. Short title. This Article may be cited as

1 the Illinois Clean Energy Jobs and Justice Fund Act.
2 References in this Article to "this Act" mean this Article.

3 Section 10-5. Purpose.

4 The purpose of this Act is to promote the health, welfare,
5 and prosperity of all the residents of this State by ensuring
6 access to financial products that allow Illinois residents and
7 businesses to invest in clean energy. Furthermore, the
8 Illinois Clean Energy Jobs and Justice Fund, is designed to
9 fill the following purposes:

10 (1) Ensure that the benefits of the clean energy
11 economy are equitably distributed;

12 (2) Make clean energy accessible to all through the
13 provision of innovative financing opportunities and grants
14 for Minority Business Enterprises (MBE) and other
15 contractors of color, and for low-income, environmental
16 justice, and BIPOC communities and the businesses that
17 serve these communities;

18 (3) Prioritize the provision of public and private
19 capital for clean energy investment to MBEs and other
20 contractors of color, and to businesses serving
21 low-income, environmental justice, and BIPOC communities;

22 (4) Accelerate the flow of private capital into clean
23 energy markets;

24 (5) Assist low-income, environmental justice, and
25 BIPOC community utility customers in paying for solar and

- 1 energy efficiency upgrades through energy cost savings;
- 2 (6) Increase access to no- and low-cost loans for MBE
- 3 and other contractors of color;
- 4 (7) Develop financing products designed to compensate
- 5 for historical and structural barriers preventing
- 6 low-income, environmental justice, and BIPOC communities
- 7 from accessing traditional financing;
- 8 (8) Leverage private investment in clean energy
- 9 projects and in projects developed by MBEs and other
- 10 contractors of color; and
- 11 (9) Pursue financial self-sustainability through
- 12 innovative financing products.

13 Section 10-10. Definitions. For the purpose of this Act,

14 the following terms shall have the following definitions:

15 "Black, indigenous, and people of color" or "BIPOC" is

16 defined as people who are members of the groups described in

17 subparagraphs (a) through (e) of paragraph (A) of subsection

18 (1) of Section 2 of the Business Enterprise for Minorities,

19 Women, and Persons with Disabilities Act.

20 "Board" means the Board of Directors of the Illinois Clean

21 Energy Jobs and Justice Fund.

22 "Contractor of color" means a business entity that is at

23 least 51% owned by one or more BIPOC persons, or in the case of

24 a corporation, at least 51% of the corporation's stock is

25 owned by one or more BIPOC persons; and the management and

1 daily business operations of which are controlled by one or
2 more of the BIPOC persons who own it. A contractor of color may
3 also be a nonprofit entity with a board of directors composed
4 of at least 51% BIPOC persons or a nonprofit entity certified
5 by the State of Illinois to be minority-led.

6 "Environmental justice communities" means the definition
7 of that term based on existing methodologies and findings used
8 by the Illinois Power Agency and its Administrator of the
9 Illinois Solar for All Program.

10 "Fund" means the Illinois Clean Energy Jobs and Justice
11 Fund.

12 "Low-income" means households whose income does not exceed
13 80% of Area Median Income (AMI), adjusted for family size and
14 revised every 5 years.

15 "Low-income community" means a census tract where at least
16 half of households are low-income.

17 "Minority-owned business enterprise" or "MBE" means a
18 business certified as such by an authorized unit of government
19 or other authorized entity in Illinois.

20 "Municipality" means a city, village, or incorporated
21 town.

22 "Person" means any natural person, firm, partnership,
23 corporation, either domestic or foreign, company, association,
24 limited liability company, joint stock company, or association
25 and includes any trustee, receiver, assignee, or personal
26 representative thereof.

1 Section 10-15. Clean Energy Jobs and Justice Fund.

2 (a) Formation. Not later than 30 days after the effective
3 date of this Act, there shall be incorporated a nonprofit
4 corporation to be known as the "Clean Energy Jobs and Justice
5 Fund."

6 (b) Limitation. The Fund shall not be an agency or
7 instrumentality of the State Government.

8 (c) Full faith and credit. The full faith and credit of the
9 State of Illinois shall not extend to the Fund.

10 (d) Nonprofit status. The Fund shall:

11 (1) Be an organization described in subsection (c)
12 Section 501 of the Internal Revenue Code of 1986 and
13 exempt from taxation under subsection (a) of Section 501
14 of that Code;

15 (2) Ensure that no part of the income or assets of the
16 Fund shall inure to the benefit of any director, officer,
17 or employee, except as reasonable compensation for
18 services or reimbursement for expenses; and

19 (3) Not contribute to or otherwise support any
20 political party or candidate for elective office.

21 Section 10-20. Board of directors.

22 (a) Board composition. The Fund shall be managed by, and
23 its powers, functions, and duties shall be exercised through,
24 a board to be composed of 11 members. The initial members of

1 the Board shall be selected as follows:

2 (1) Appointed members. Five members shall be appointed
3 by the Governor within 60 days after the effective date of
4 this Act. Members of the board shall be broadly
5 representative of the communities that the Fund is
6 designed to serve. Of such members:

7 (i) at least one member shall be selected from
8 each of the following geographic regions in the State:
9 northeast, northwest, central, and southern;

10 (ii) at least one member shall have experience in
11 providing energy-related services to low-income,
12 environmental justice, or BIPOC communities;

13 (iii) At least one member shall own or be employed
14 by an MBE or BIPOC-owned business focused on the
15 deployment of clean energy;

16 (iv) at least one member shall be a policy or
17 implementation expert in serving low-income,
18 environmental justice or BIPOC communities or
19 individuals, including environmental justice
20 communities, BIPOC communities, justice-involved
21 persons, persons who are or were in the child welfare
22 system, displaced energy workers, gender nonconforming
23 and transgender individuals, or youth; and

24 (v) Board members can fulfill multiple criteria
25 (such as representing the southern region and a MBE or
26 BIPOC-owned business focused on the deployment of

1 clean energy).

2 (2) Elected members. Six members shall be elected
3 unanimately by the 5 members appointed pursuant to
4 subparagraph (A) within 120 days after the effective date
5 of this Act. Members of the board shall be broadly
6 representative of the communities that the Fund is
7 designed to serve. Of such members:

8 (i) at least one member shall be selected from
9 each of the following geographic regions in the State:
10 northeast, northwest, central, and southern;

11 (ii) at least one member shall be from a
12 community-based organization with a specific mission
13 to support racially and socioeconomically diverse
14 environmental justice communities;

15 (iii) at least one member shall own or be employed
16 by an MBE or BIPOC-owned business focused on the
17 deployment of clean energy;

18 (iv) at least one member shall be from an
19 organization specializing in providing energy-related
20 services to low-income, environmental justice, or
21 BIPOC communities; and

22 (v) Board members can fulfill multiple criteria
23 (such as representing the southern region and an MBE
24 or BIPOC-owned business focused on the deployment of
25 clean energy).

26 (3) Terms. The terms of the initial members of the

1 Board shall be as follows:

2 (A) The 5 members appointed and confirmed under
3 paragraph (1) of subsection (a) of this Section shall
4 have initial 5-year terms.

5 (B) Of the 6 members elected under paragraph (2)
6 of subsection (a) of this Section, 3 shall have
7 initial 4-year terms and 3 shall have initial 3-year
8 terms.

9 (b) Subsequent composition and terms.

10 (1) Except for the selection of the initial members of
11 the Board for their initial terms under paragraph (1) of
12 subsection (a) of this Section, the members of the Board
13 shall be elected by the members of the Board.

14 (2) Disqualification. A member of the Board shall be
15 disqualified from voting for any position on the Board for
16 which such member is a candidate.

17 (3) Terms. All members elected pursuant to paragraph
18 (2) of subsection (a) of this Section shall have a term of
19 5 years.

20 (c) Qualifications. The members of the board shall be
21 broadly representative of the communities that the Fund is
22 designed to serve and shall collectively have expertise in
23 environmental justice, energy efficiency, distributed
24 renewable energy, workforce development, finance and
25 investments, clean transportation, and climate resilience. Of
26 such members:

1 (1) not fewer than 2 shall be selected from each of the
2 following geographic regions in the State: northeast,
3 northwest, central, and southern;

4 (2) not fewer than 2 shall be from an MBE or
5 BIPOC-owned business focused on the deployment of clean
6 energy;

7 (3) not fewer than 2 shall be from a community-based
8 organization with a specific mission to support racially
9 and socioeconomically diverse environmental justice
10 communities; and

11 (4) not fewer than 2 shall be from an organization
12 specializing in providing energy-related services to
13 low-income, environmental justice, or BIPOC communities.

14 (5) Members of the board can fulfill multiple criteria
15 (such as representing the southern region and an MBE or
16 BIPOC-owned business focused on the deployment of clean
17 energy).

18 (d) Restriction on membership. No officer or employee of
19 the State or any other level of government may be appointed or
20 elected as a member of the Board.

21 (e) Quorum. Seven members of the Board shall constitute a
22 quorum.

23 (f) Bylaws. The board shall adopt, and may amend, such
24 bylaws as are necessary for the proper management and
25 functioning of the Fund. Such bylaws shall include designation
26 of officers of the Fund and the duties of such officers.

1 (g) Restrictions. No person who is an employee in any
2 managerial or supervisory capacity, director, officer or agent
3 or who is a member of the immediate family of any such
4 employee, director, officer or agent of any public utility is
5 eligible to be a director. No director may hold any elective
6 position, be a candidate for any elective position, be a State
7 public official, be employed by the Illinois Commerce
8 Commission, or be employed in a governmental position exempt
9 from the Illinois Personnel Code.

10 (h) Director, Family Member Employment. No director, nor
11 member of his or her immediate family shall, either directly
12 or indirectly, be employed for compensation as a staff member
13 or consultant of the Fund.

14 (i) Meetings. The board shall hold regular meetings at
15 least once every 3 months on such dates and at such places as
16 it may determine. Meetings may be held by teleconference or
17 videoconference. Special meetings may be called by the
18 president or by a majority of the directors upon at least 7
19 days' advance written notice. The act of the majority of the
20 directors, present at a meeting at which a quorum is present,
21 shall be the act of the board of directors unless the act of a
22 greater number is required by this Act or bylaws. A summary of
23 the minutes of every board meeting shall be made available to
24 each public library in the State upon request and to
25 individuals upon request. Board of Director meeting minutes
26 shall be posted on the Fund's website within 14 days after

1 Board approval of the minutes.

2 (j) Expenses. A director may not receive any compensation
3 for his or her services but shall be reimbursed for necessary
4 expenses, including travel expenses incurred in the discharge
5 of duties. The board shall establish standard allowances for
6 mileage, room and meals and the purposes for which such
7 allowances may be made and shall determine the reasonableness
8 and necessity for such reimbursements.

9 (k) In the event of a vacancy on the board, the board of
10 Directors shall appoint a temporary member, consistent with
11 the requirements of the board composition, to serve the
12 remainder of the term for the vacant seat.

13 (l) The board shall adopt rules for its own management and
14 government, including bylaws and a conflict of interest
15 policy.

16 (m) The board of directors of the Fund shall adopt written
17 procedures for:

18 (1) adopting an annual budget and plan of operations,
19 including a requirement of board approval before the
20 budget or plan may take effect;

21 (2) hiring, dismissing, promoting, and compensating
22 employees of the Fund, including an affirmative action
23 policy and a requirement of board approval before a
24 position may be created or a vacancy filled;

25 (3) acquiring real and personal property and personal
26 services, including a requirement of board approval for

1 any non-budgeted expenditure in excess of 5 thousand
2 dollars;

3 (4) contracting for financial, legal, bond
4 underwriting and other professional services, including
5 requirements that the Fund (i) solicit proposals at least
6 once every 3 years for each such service that it uses, and
7 (ii) ensure equitable contracting with diverse suppliers;

8 (5) issuing and retiring bonds, bond anticipation
9 notes, and other obligations of the Fund; and

10 (6) awarding loans, grants and other financial
11 assistance, including (i) eligibility criteria, the
12 application process and the role played by the Fund's
13 staff and board of directors, and (ii) ensuring racial
14 equity in the awarding of loans, grants, and other
15 financial assistance.

16 (n) The board shall develop a robust set of metrics to
17 measure the degree to which the program is meeting the
18 purposes set forth in Section 5-10 of this Act, and especially
19 measuring adherence to the racial equity purposes set forth
20 there, and a reporting format and schedule to be adhered to by
21 the Fund officers and staff. These metrics and reports shall
22 be posted quarterly on the Fund's website.

23 (o) The board of directors has the responsibility to make
24 program adjustments necessary to ensure the Clean Energy Jobs
25 and Justice Fund is meeting the purposes set forth in Section
26 5-10 of this Act. Fund officers and staff and the board of

1 directors are responsible for ensuring capital providers and
2 Fund officers and staff, partners, and financial institutions
3 are held to state and federal standards for ethics and
4 predatory lending practices and shall immediately remove any
5 offending products and sponsoring organizations from Fund
6 participation.

7 (p) The board shall issue annually a report reviewing the
8 activities of the Fund in detail and shall provide a copy of
9 such report to the joint standing committees of the General
10 Assembly having cognizance of matters relating to energy and
11 commerce. The report shall be published on the Fund's website
12 within 3 days after its submission to the General Assembly.

13 Section 10-25. Powers and duties.

14 (a) The Fund shall endeavor to perform the following
15 actions, but is not limited to these specified actions:

16 (1) Develop programs to finance and otherwise support
17 clean energy investment and projects as determined by the
18 Fund in keeping with the purposes of this Act.

19 (2) Support financing or other expenditures that
20 promote investment in clean energy sources in order to (i)
21 foster the development and commercialization of clean
22 energy projects, including projects serving low-income,
23 environmental justice, and BIPOC communities, and (ii)
24 support project development by MBE and other contractors
25 of color.

1 (3) Prioritize the provision of public and private
2 capital for clean energy investment to MBEs and other
3 contractors of color, and to clean energy investment in
4 low-income, environmental justice, and BIPOC communities.

5 (4) Provide access to grants, no-cost, and low-cost
6 loans to MBEs and other contractors of color, including
7 those participating in the Illinois Clean Energy Black,
8 Indigenous, and People of Color Primes Contractor
9 Accelerator Program.

10 (5) Provide financial assistance in the form of
11 grants, loans, loan guarantees or debt and equity
12 investments, as approved in accordance with written
13 procedures.

14 (6) Assume or take title to any real property, convey
15 or dispose of its assets and pledge its revenues to secure
16 any borrowing, convey or dispose of its assets and pledge
17 its revenues to secure any borrowing, for the purpose of
18 developing, acquiring, constructing, refinancing,
19 rehabilitating or improving its assets or supporting its
20 programs, provided each such borrowing or mortgage, unless
21 otherwise provided by the board or the Fund, shall be a
22 special obligation of the Fund, which obligation may be in
23 the form of bonds, bond anticipation notes or other
24 obligations which evidence an indebtedness to the extent
25 permitted under this chapter to Fund, refinance and refund
26 the same and provide for the rights of holders thereof,

1 and to secure the same by pledge of revenues, notes and
2 mortgages of others, and which shall be payable solely
3 from the assets, revenues and other resources of the Fund
4 and such bonds may be secured by a special capital reserve
5 Fund contributed to by the State.

6 (7) Contract with community-based organizations to
7 design and implement program marketing, communications,
8 and outreach to potential users of the Fund's products,
9 particularly potential users in low-income, environmental
10 justice, and BIPOC communities. These contracts shall
11 include funding to ensure that the contracted
12 community-based organizations provide materials and
13 outreach support, including payments for time and
14 expenses, to other community organizations, professional
15 organizations, and subcontractors that have an interest in
16 the Fund's financial products.

17 (8) Collect the following data and perform monthly and
18 quarterly reporting to the board in accordance with the
19 reporting format and schedule developed by the Board of
20 Directors:

21 (A) baseline data on capital sources/providers,
22 loan recipients, projects funded, loan terms, and
23 other relevant financial data;

24 (B) diversity and equity data (race, gender,
25 socioeconomic, geographic region, etc.); and

26 (C) program administration and servicing data.

1 These reports shall be published to the Fund's website
2 monthly and quarterly. Reports published to the
3 website may be anonymized to protect the data of
4 individual program participants.

5 (9) Have the purposes as provided by resolution of the
6 Fund's board of directors, which purposes shall be
7 consistent with this Section and Section 5-10 of this Act.
8 No further action is required for the establishment of the
9 Fund, except the adoption of a resolution for the Fund.

10 (b) In addition to, and not in limitation of, any other
11 power of the Fund set forth in this Section or any other
12 provision of the general statutes, the Fund shall have and may
13 exercise the following powers in furtherance of or in carrying
14 out its purposes:

15 (1) have perpetual succession as a body corporate and
16 to adopt bylaws, policies and procedures for the
17 regulation of its affairs and the conduct of its business;

18 (2) make and enter into all contracts and agreements
19 that are necessary or incidental to the conduct of its
20 business;

21 (3) invest in, acquire, lease, purchase, own, manage,
22 hold, sell and dispose of real or personal property or any
23 interest therein;

24 (4) borrow money or guarantee a return to investors or
25 lenders;

26 (5) hold patents, copyrights, trademarks, marketing

1 rights, licenses or other rights in intellectual property;

2 (6) employ such assistants, agents, and employees as
3 may be necessary or desirable; establish all necessary or
4 appropriate personnel practices and policies, including
5 those relating to hiring, promotion, compensation and
6 retirement, and engage consultants, attorneys, financial
7 advisers, appraisers and other professional advisers as
8 may be necessary or desirable;

9 (7) invest any funds not needed for immediate use or
10 disbursement pursuant to investment policies adopted by
11 the Fund's board of directors;

12 (8) procure insurance against any loss or liability
13 with respect to its property or business of such types, in
14 such amounts and from such insurers as it deems desirable;

15 (9) enter into joint ventures and invest in, and
16 participate with any person, including, without
17 limitation, government entities and private corporations,
18 in the formation, ownership, management and operation of
19 business entities, including stock and nonstock
20 corporations, limited liability companies and general or
21 limited partnerships, formed to advance the purposes of
22 the Fund, provided members of the board of directors or
23 officers or employees of the Fund may serve as directors,
24 members or officers of any such business entity, and such
25 service shall be deemed to be in the discharge of the
26 duties or within the scope of the employment of any such

1 director, officer or employee, as the case may be, so long
2 as such director, officer or employee does not receive any
3 compensation or financial benefit as a result of serving
4 in such role; and

5 (10) all other acts necessary or convenient to carry
6 out the purposes of this Act.

7 (c) Before making any loan, loan guarantee, or such other
8 form of financing support or risk management for a clean
9 energy project, the Fund shall develop standards to govern the
10 administration of the Fund through rules, policies and
11 procedures that specify borrower eligibility, terms and
12 conditions of support, and other relevant criteria, standards,
13 or procedures.

14 (d) Capitalization. The Fund shall be capitalized with
15 \$100 million from the Energy Community Reinvestment Fund
16 within the first year after the enacted date of this Act. The
17 Fund will receive additional capitalization of \$40 million
18 each year thereafter. Funding sources specifically authorized
19 include, but are not limited to:

20 (1) funds repurposed from existing programs providing
21 financing support for clean energy projects, provided any
22 transfer of funds from such existing programs shall be
23 subject to approval by the General Assembly and shall be
24 used for expenses of financing, grants and loans;

25 (2) any federal funds that can be used for the
26 purposes specified in this Act;

1 (3) charitable gifts, grants, contributions as well as
2 loans from individuals, corporations, university
3 endowments and philanthropic foundations; and

4 (4) earnings and interest derived from financing
5 support activities for clean energy projects backed by the
6 Fund.

7 (e) The Fund may enter into agreements with private
8 sources to raise capital.

9 (f) The Fund may assess reasonable fees on its financing
10 activities to cover its reasonable costs and expenses, as
11 determined by the board.

12 (g) The Fund shall make information regarding the rates,
13 terms and conditions for all of its financing support
14 transactions available to the public for inspection, including
15 formal annual reviews by both a private auditor conducted
16 pursuant this Section and the Comptroller, and provide details
17 to the public on the Internet, provided public disclosure
18 shall be restricted for patentable ideas, trade secrets,
19 proprietary or confidential commercial or financial
20 information, disclosure of which may cause commercial harm to
21 a nongovernmental recipient of such financing support and for
22 other information exempt from public records disclosure.

23 (h) The powers enumerated in this Section shall be
24 interpreted broadly to effectuate the purposes established in
25 this Section and shall not be construed as a limitation of
26 powers.

1 Section 10-30. Primary responsibilities in early program
2 development.

3 (a) Consistent with the goals of this Act, the Fund has the
4 authority to pursue a broad range of financial products and
5 services. In early development of products and services
6 offered, the Fund should consider the following programs as
7 its initial set of investment initiatives:

8 (1) a solar lease, power-purchase agreement, or
9 loan-to-own product specifically designed to complement
10 and grow the Illinois Solar for All program;

11 (2) direct capitalization of contractors of color
12 participating in or graduating from the workforce and
13 business development programs established in the Clean
14 Jobs, Workforce and Contractor Equity Act;

15 (3) providing direct capitalization of community-based
16 projects in environmental justice communities through
17 upfront grants. Project applications should provide a
18 community benefit, align with environmental justice
19 communities, be in support of this Act's contractor and
20 workforce development goals, and support upfront planning,
21 development, and start up costs that often are not covered
22 prior to applying for program incentives and other loan
23 products;

24 (4) Providing loan loss reserve products to secure
25 stable and low-interest financing for individual projects

1 and portfolios consistent with the goals of this Act that
2 would be otherwise unable to receive financing; and

3 (5) offering financing and administrative services for
4 municipal utilities and rural electric cooperatives to
5 create their own version of the on-bill Equitable Energy
6 Upgrade Program such as the Pay As You Save program
7 developed by the Energy Efficiency Institute.

8 Section 10-35. Executive director and fund management.

9 (a) The executive director hired by the board shall have
10 the same qualifications as a director pursuant to subsection
11 (d) Section 10-10 of this Act. The executive director may not
12 be a candidate for the Board of Directors while serving as
13 executive director. The executive director must have 5 or more
14 years of experience in equitable and inclusive financing
15 serving racially and socioeconomically diverse communities.

16 (b) To hire the executive director, the board shall adhere
17 to any applicable State or federal law prohibiting
18 discrimination in employment.

19 (c) The board shall require all applicants for the
20 position of executive director of the Fund to file a financial
21 statement consistent with requirements established by the
22 board. The board shall require the executive director to file
23 a current statement annually.

24 (d) The Fund shall be administered by the executive
25 director and the staff and overseen by the Board of Directors.

1 Fund officers and staff shall receive training in how to best
2 provide services and support to low-income, environmental
3 justice, and BIPOC communities and on supporting borrowers
4 with loan applications, loan underwriting, and loan services.

5 Section 10-40. Dissolution. The Fund may dissolve or be
6 dissolved under the General Not for Profit Corporation Act.

7 Article 15. Community Energy, Climate, and Jobs Planning Act

8 Section 15-1. Short title. This Article may be cited as
9 the Community Energy, Climate, and Jobs Planning Act.
10 References in this Article to "this Act" mean this Article.

11 Section 15-5. Findings. The General Assembly makes the
12 following findings:

13 (1) The health, welfare, and prosperity of Illinois
14 residents require that Illinois take all steps possible to
15 combat climate change, address harmful environmental
16 impacts deriving from the generation of electricity,
17 maximize quality job creation in the emerging clean energy
18 economy, ensure affordable utility service, equitable and
19 affordable access to transportation, and clean, safe,
20 affordable housing.

21 (2) The achievement of these goals will depend on
22 strong community engagement to ensure that programs and

1 policy solutions meet the needs of disparate communities.

2 (3) Ensuring that these goals are met without adverse
3 impacts on utility bill affordability, housing
4 affordability, and other essential services will depend on
5 the coordination of policies and programs within local
6 communities.

7 Section 15-10. Definitions. As used in this Act:

8 "Alternative energy improvement" means the installation or
9 upgrade of electrical wiring, outlets, or charging stations to
10 charge a motor vehicle that is fully or partially powered by
11 electricity; photovoltaic, energy storage, or thermal
12 resource; or any combination thereof.

13 "Disadvantaged worker" means an individual who is defined
14 as: (1) being homeless; (2) being a custodial single parent;
15 (3) being a recipient of public assistance; (4) lacking a high
16 school diploma or high school equivalency; (5) having a
17 criminal record or other involvement in the criminal justice
18 system; (6) suffering from chronic unemployment; (7) being
19 previously in the child welfare system; or (8) being a
20 veteran.

21 "Energy efficiency improvement" means equipment, devices,
22 or materials intended to decrease energy consumption or
23 promote a more efficient use of electricity, natural gas,
24 propane, or other forms of energy on property, including, but
25 not limited to, all of the following:

1 (1) insulation in walls, roofs, floors, foundations,
2 or heating and cooling distribution systems;

3 (2) storm windows and doors, multi-glazed windows and
4 doors, heat-absorbing or heat-reflective glazed and coated
5 window and door systems, and additional glazing,
6 reductions in glass area, and other window and door system
7 modifications that reduce energy consumption;

8 (3) automated energy control systems;

9 (4) high efficiency heating, ventilating, or
10 air-conditioning and distribution system modifications or
11 replacements;

12 (5) caulking, weather-stripping, and air sealing;

13 (6) replacement or modification of lighting fixtures
14 to reduce the energy use of the lighting system;

15 (7) energy controls or recovery systems;

16 (8) day lighting systems;

17 (9) any energy efficiency project, as defined in
18 Section 825-65 of the Illinois Finance Authority Act; and

19 (10) any other installation or modification of
20 equipment, devices, or materials approved as a utility
21 cost-saving measure by the governing body.

22 "Energy project" means the installation or modification of
23 an alternative energy improvement, energy efficiency
24 improvement, or water use improvement, or the acquisition,
25 installation, or improvement of a renewable energy system that
26 is affixed to a stabilized existing property (including new

1 construction).

2 "Governing body" means the county board or board of county
3 commissioners of a county or the city council or board of
4 trustees of a municipality.

5 "Local Employment Plan" means a bidding option that public
6 agencies may include in requests for proposals to incentivize
7 bidders to voluntarily plan to retain and create high-skilled
8 local manufacturing jobs; invest in preapprenticeship,
9 apprenticeship, and training opportunities; and develop
10 family-sustaining career pathways into clean energy industries
11 for disadvantaged workers in a specified local area. The Local
12 Employment Plan only applies to work that is not financed with
13 federal money.

14 "Local unit of government" means a county or municipality.

15 "Natural climate solutions" means conservation,
16 restoration, or improved land management actions that increase
17 carbon storage or avoid greenhouse gas emissions on natural
18 and working lands.

19 "Nature-based approaches for climate adaptation" means
20 actions that preserve, enhance, or expand functions provided
21 by nature that increase capacity to manage adverse conditions
22 created or exacerbated by climate change. "Nature-based
23 approaches for climate adaptation" includes, but is not
24 limited to, the restoration of native ecosystems, especially
25 floodplains; installation of bioswales, rain gardens, and
26 other green stormwater infrastructure; and practices that

1 increase soil health and reduce urban heat island effects.

2 "Public agency" means the State of Illinois or any of its
3 government bodies and subdivisions, including the various
4 counties, townships, municipalities, school districts,
5 educational service regions, special road districts, public
6 water supply districts, drainage districts, levee districts,
7 sewer districts, housing authorities, and transit agencies.

8 "Renewable energy resource" includes energy and its
9 associated renewable energy credit or renewable energy credits
10 from wind energy, solar thermal energy, geothermal energy,
11 photovoltaic cells and panels, biodiesel, anaerobic digestion,
12 and hydropower that does not involve new construction or
13 significant expansion of hydropower dams. For purposes of this
14 Act, landfill gas produced in the State is considered a
15 renewable energy resource. "Renewable energy resource" does
16 not include the incineration or burning of any solid material.

17 "Renewable energy system" means a fixture, product,
18 device, or interacting group of fixtures, products, or devices
19 on the customer's side of the meter that use one or more
20 renewable energy resources to generate electricity, and
21 specifically includes any renewable energy project, as defined
22 in Section 825-65 of the Illinois Finance Authority Act.

23 "U.S. Employment Plan" means a bidding option that public
24 agencies may include in requests for proposals to incentivize
25 bidders to voluntarily plan to retain and create high-skilled
26 U.S. manufacturing jobs; invest in preapprenticeship,

1 apprenticeship, and training opportunities; and develop
2 family-sustaining career pathways into clean energy industries
3 for disadvantaged workers throughout the U.S. The U.S.
4 Employment Plan only applies to work financed with federal
5 money.

6 "Water use improvement" means any fixture, product,
7 system, device, or interacting group thereof for or serving
8 any property that has the effect of conserving water resources
9 through improved water management, efficiency, or thermal
10 resource.

11 Section 15-15. Community Energy, Climate, and Jobs Plans;
12 creation.

13 (a) Pursuant to the procedures in Section 15-20, a local
14 unit of government may establish Community Energy, Climate,
15 and Jobs Plans and identify boundaries and areas covered by
16 the Plans.

17 (b) Community Energy, Climate, and Jobs Plans are intended
18 to aid local governments in developing a comprehensive
19 approach to combining different energy, climate, and jobs
20 programs and funding resources to achieve complementary
21 impact. An effective planning process may:

22 (1) help communities discover ways that their local
23 government, businesses, and residents can control their
24 energy use and bills;

25 (2) ensure a cost-effective transition away from

1 fossil fuels in the transportation sector;

2 (3) expand access to workforce development and job
3 training opportunities for disadvantaged workers in the
4 emerging clean energy economy;

5 (4) incentivize the creation and retention of quality
6 Illinois jobs (when federal funds are not involved) in the
7 emerging clean energy economy;

8 (5) incentivize the creation and retention of quality
9 U.S. jobs in the emerging clean energy economy;

10 (6) promote economic development through improvements
11 in community infrastructure, transit, and support for
12 local business;

13 (7) improve the health of Illinois communities by
14 reducing emissions, addressing existing brownfield areas,
15 and promoting the integration of distributed energy
16 resources;

17 (8) enable greater customer engagement, empowerment,
18 and options for energy services, and ultimately reduce
19 utility bills for Illinoisans;

20 (9) bring the benefits of grid modernization and the
21 deployment of distributed energy resources to economically
22 disadvantaged communities throughout Illinois;

23 (10) support existing Illinois policy goals promoting
24 energy efficiency, demand response, and investments in
25 renewable energy resources;

26 (11) enable communities to better respond to extreme

1 heat and cold emergencies; and

2 (12) explore opportunities to expand and improve
3 carbon sequestration, recreational amenities, wildlife
4 habitat, flood mitigation, agricultural production,
5 tourism, and similar co-benefits by deploying natural
6 climate solutions and nature-based approaches for climate
7 adaptation.

8 (c) A Community Energy, Climate, and Jobs Plan may include
9 discussion of:

10 (1) the demographics of the community, including
11 information on the mix of residential and commercial areas
12 and populations, ages, languages, education, and workforce
13 training, including an examination of the average utility
14 bills paid within the community by class and census area,
15 the percentage and locations of individuals requiring
16 energy assistance, and participation of community members
17 in other assistance programs; and also including an
18 examination of the community's energy use, whether of
19 electricity, natural gas, or other fuels and whether for
20 transportation or other purposes;

21 (2) the geography of the community, including the
22 amount of green space, brownfield sites, farmland,
23 waterways, flood zones, heat islands, areas for potential
24 development, location of critical infrastructure such as
25 emergency response facilities, health care and education
26 facilities, and public transportation routes;

1 (3) information on economic development opportunities,
2 commercial usage, and employment opportunities;

3 (4) the current status of zero-emission vehicles
4 operated by or on behalf of public agencies within the
5 community; and

6 (5) other topics deemed applicable by the community.

7 (d) A Community Energy, Climate, and Jobs Plan may address
8 the following areas:

9 (1) distributed energy resources, including energy
10 efficiency, demand response, dynamic pricing, energy
11 storage, and solar (thermal, rooftop, and community);

12 (2) building codes (both commercial and residential);

13 (3) vehicle miles traveled;

14 (4) transit options, including individual car
15 ownership, ride sharing, buses, trains, bicycles, and
16 pedestrian walkways;

17 (5) community assets related to extreme heat
18 emergencies, such as cooling and warming centers;

19 (6) public agency procurements of zero-emission,
20 electric vehicles; and

21 (7) networks of natural resources and infrastructure.

22 (e) A Community Energy, Climate, and Jobs Plan may
23 conclude with proposals to:

24 (1) increase the use of electricity as a
25 transportation fuel at multi-unit dwellings;

26 (2) maximize the system-wide benefits of

1 transportation electrification;

2 (3) direct public agencies to implement tools, such as
3 the U.S. Employment Plan or a Local Employment Plan, to
4 incentivize manufacturers in clean energy industries to
5 create and retain quality jobs and invest in training,
6 workforce development, and apprenticeship programs in
7 connection to a major contract;

8 (4) test innovative load management programs or rate
9 structures associated with the use of electric vehicles by
10 residential customers to achieve customer fuel cost
11 savings relative to gasoline or diesel fuels and to
12 optimize grid efficiency;

13 (5) increase the integration of distributed energy
14 resources in the community;

15 (6) significantly expand the percentage of net-zero
16 housing and net-zero buildings in the community;

17 (7) improve utility bill affordability;

18 (8) increase mass transit ridership;

19 (9) decrease vehicle miles traveled;

20 (10) reduce local emissions of greenhouse gases, NO_x,
21 SO_x, particulate matter, and other air pollutants; and

22 (11) improve community assets that help residents
23 respond to extreme heat and cold emergencies.

24 (f) A Community Energy, Climate, and Jobs Plan may be
25 administered by one or more program administrators or the
26 local unit of government.

1 (g) To be eligible for participation or funding through
2 the Clean Energy Empowerment Zone pilot projects, as provided
3 under Section 16-108.9 of the Public Utilities Act, or the
4 Carbon-Free Last Mile of Commutes Program, described in
5 Section 35 of the Electric Vehicle Act, a unit of local
6 government shall include in its Community Energy, Climate, and
7 Jobs Plans the information necessary for participation in
8 these programs and projects.

9 (1) Eligibility for funding or resources from the
10 Clean Energy Empowerment Zone pilot projects shall
11 require, at a minimum, the Plan to include information
12 necessary to determine whether the community qualifies as
13 a Clean Energy Empowerment Zone as described in Section
14 16-108.9 of the Public Utilities Act.

15 (2) Eligibility for funding or resources from the
16 Carbon-Free Last Mile of Commutes Program as described in
17 Section 35 of the Electric Vehicle Act shall require, at a
18 minimum, the Plan to include:

19 (A) information that allows the Department of
20 Commerce and Economic Opportunity to assess current
21 transportation and public transit infrastructure
22 within the boundaries identified by the unit of local
23 government; and

24 (B) recommendations by the unit of local
25 government on how to use funds to increase carbon-free
26 last mile commuting.

1 (3) Units of local government may use previously
2 created Plans or reports to qualify for funding under this
3 subsection (g). The determination of which Plans qualify
4 shall be made liberally by the State agency or department
5 responsible for this determination, subject to the
6 conditions in paragraphs (1) and (2) of this subsection
7 (g).

8 Section 15-20. Community Energy, Climate, and Jobs
9 Planning process.

10 (a) An effective planning process shall engage with a
11 diverse set of stakeholders in local communities, including:
12 environmental justice organizations; economic development
13 organizations; faith-based nonprofit organizations;
14 educational institutions; interested residents; health care
15 institutions; tenant organizations; housing institutions,
16 developers, and owners; elected and appointed officials; and
17 representatives reflective of each local community.

18 (b) An effective planning process shall engage with
19 individual members of the community as much as possible to
20 ensure that the Plans receive input from as diverse a set of
21 perspectives as possible.

22 (c) Plan materials and meetings related to the Plan shall
23 be translated into languages that reflect the makeup of the
24 local community.

25 (d) The planning process shall be conducted in an ethical,

1 transparent fashion, and continually review its policies and
2 practices to determine how best to meet its objectives.

3 Section 15-25. Joint Community Energy, Climate, and Jobs
4 Plans. A local unit of government may join with any other local
5 unit of government, or with any public or private person, or
6 with any number or combination thereof, under the
7 Intergovernmental Cooperation Act, by contract or otherwise as
8 may be permitted by law, for the implementation of a Community
9 Energy, Climate, and Jobs Plan, in whole or in part.

10 Article 20. Energy Community Reinvestment Fund Act

11 Section 20-1. Short title. This Article may be cited as
12 the Energy Community Reinvestment Fund Act.

13 Section 20-5. Energy Community Reinvestment Fund.

14 (a) The General Assembly hereby declares that management
15 of several economic development programs requires a
16 consolidated funding source to improve resource efficiency.
17 The General Assembly specifically recognizes that properly
18 serving communities and workers impacted by the energy
19 transition requires that the Department of Commerce and
20 Economic Opportunity have access to the resources required for
21 the execution of the programs in the Clean Jobs Workforce Hubs
22 Program and the Expanding Clean Energy Entrepreneurship

1 Program.

2 The intent of the General Assembly is that the Energy
3 Community Reinvestment Fund is able to provide all funding for
4 development programs created in the Clean Jobs Workforce Hubs
5 Program and the Expanding Clean Energy Entrepreneurship
6 Program, and that no additional charge is borne by the
7 taxpayers or ratepayers of Illinois absent a deficiency.

8 (b) The Energy Community Reinvestment Fund is created as a
9 special fund in the State treasury to be used by the Department
10 of Commerce and Economic Opportunity for purposes provided
11 under this Section. The Fund shall be used to fund programs
12 specified under subsection (c). The objective of the Fund is
13 to bring economic development to communities in this State in
14 a manner that equitably maximizes economic opportunity in all
15 communities by increasing efficiency of resource allocation
16 across the programs listed in subsection (c). The Department
17 shall include a description of its proposed approach to the
18 design, administration, implementation, and evaluation of the
19 Fund, as part of the Energy Transition Workforce Plan
20 described in this Act. Contracts that will be paid with moneys
21 in the Fund shall be executed by the Department.

22 (c) The Department shall be responsible for the
23 administration of the Fund and shall allocate funding on the
24 basis of priorities established in this Section. Each year,
25 the Department shall determine the available amount of
26 resources in the Fund that can be allocated to the programs

1 identified in this Section, and allocate the funding
2 accordingly. The Department shall, to the extent practical,
3 consider both the short-term and long-term costs of the
4 programs and allocate, save, or invest funding so that the
5 Department is able to cover both the short-term and long-term
6 costs of these programs using projected revenue.

7 The available funding for each year shall be allocated
8 from the Fund in the following order of priority:

9 (1) for costs related to the Clean Jobs Workforce Hubs
10 program in Part 5 of the Clean Jobs, Workforce, and
11 Contractor Equity Act, up to \$26,000,000 annually or 26%
12 of the available funding, whichever is less;

13 (2) for costs related to the program described by Part
14 10 of the Clean Energy, Workforce, and Contractor Equity
15 Act, up to \$21,000,000 annually or 21% of the available
16 funding, whichever is less;

17 (3) for costs related to the Returning Residents Clean
18 Jobs Training Program described in Part 20 of the Clean
19 Jobs, Workforce, and Contractor Equity Act, up to
20 \$6,000,000 annually or 6% of the available funding,
21 whichever is less;

22 (4) for costs related to the Illinois Clean Energy
23 Black, Indigenous, and People of Color Primes Contractor
24 Accelerator Program described in Part 15 of the Clean
25 Jobs, Workforce and Contractor Equity Act, up to
26 \$9,000,000 annually or 9% of the available funding,

1 whichever is less; and

2 (5) for the initial capital funding of the Clean
3 Energy Jobs and Justice Fund, \$100,000,000 in the year
4 2022, or if the full funding is not available, the
5 Department may allocate these funds over several years as
6 quickly as is feasible.

7 (d) No later than June 1, 2021, and by June 1 of each year
8 thereafter, the Department shall submit a notification to the
9 Illinois Environmental Protection Agency for the purpose of
10 implementing the energy community reinvestment fee as
11 described in Section 9.16 of the Environmental Protection Act.
12 The notification shall include the revenue and spending
13 requirements for the programs identified under this Act for
14 the upcoming fiscal year, as well as the projected spending
15 for all program years through Fiscal Year 2036. The projected
16 revenue and spending need identified for any program year
17 shall be no less than \$200,000,000 per year for the calendar
18 years 2021 through 2025 and \$100,000,000 per year for all
19 calendar years starting in 2026 that the Illinois electric
20 sector generates greenhouse gas emissions.

21 (e) The Department shall, on an ongoing basis, seek out
22 and apply for funding from alternative sources to cover the
23 costs of these programs. Alternative sources may include the
24 federal government, other State programs, private foundations,
25 donors, or other opportunities for funding. The Department
26 shall, as described in subsection (c), use any additional

1 funding obtained for these programs to reduce or eliminate any
2 costs borne by taxpayers and ratepayers. Nothing in this
3 subsection (f) shall be interpreted to reduce or remove the
4 revenue requirements obtained by the Illinois Environmental
5 Protection Agency as described in subsection (d).

6 (f) Notwithstanding any other law to the contrary, the
7 Energy Community Reinvestment Fund is not subject to sweeps,
8 administrative chargebacks, or any other fiscal or budgetary
9 maneuver that would in any way transfer any amounts from the
10 Energy Community Reinvestment Fund into any other fund of the
11 State.

12 (g) The Department is granted all powers necessary for the
13 implementation of this Section.

14 Article 90. Amendatory Provisions

15 Section 90-5. The State Finance Act is amended by adding
16 Sections 5.935 and 5.937 as follows:

17 (30 ILCS 105/5.935 new)

18 Sec. 5.935. The Energy Community Reinvestment Fund.

19 (30 ILCS 105/5.937 new)

20 Sec. 5.937. The Illinois Clean Energy Jobs and Justice
21 Fund.

1 Section 90-10. The School Code is amended by adding
2 Section 2-3.182 as follows:

3 (105 ILCS 5/2-3.182 new)

4 Sec. 2-3.182. Clean energy jobs curriculum.

5 (a) The General Assembly recognizes that clean energy is a
6 growing and important sector of the State's economy and that
7 significant job opportunity exists in the sector. Consistent
8 with the Clean Jobs, Workforce, and Contractor Equity Act, the
9 Board shall participate in the development of the clean energy
10 jobs curriculum convened by the Department of Commerce and
11 Economic Opportunity. The Board shall identify and
12 collaboratively with stakeholders identified by the Board
13 develop curriculum based on anticipated clean energy job
14 availability and growth including participation from
15 stakeholders engaged in delivering existing clean energy jobs
16 workforce development programs in Illinois, specifically those
17 programs tailored to members of economically disadvantaged
18 communities, members of environmental justice communities,
19 communities of color, persons with a criminal record, persons
20 who are or were in the child welfare system, displaced energy
21 workers, and members of any of these groups who are also women
22 or transgender persons, as well as including youth. Clean
23 energy jobs considered shall be consistent with "clean energy
24 jobs" as defined in the Clean Jobs, Workforce, and Contractor
25 Equity Act, including, but not limited to, solar photovoltaic,

1 solar thermal, wind energy, energy efficiency, site
2 assessment, sales, and back office.

3 (b) In the development of the clean energy jobs
4 curriculum, the Board shall consider broad occupational
5 training applicable to the general construction sector as well
6 as sector-specific skills, including training on the
7 manufacture and installation of healthier building materials
8 that contain fewer hazardous chemicals.

9 (c) Consideration should be given to inclusion of skills
10 applicable to trainees for whom secondary and higher education
11 has not been available.

12 Section 90-15. The Public Utilities Act is amended by
13 adding Section 16-111.10 as follows:

14 (220 ILCS 5/16-111.10 new)

15 Sec. 16-111.10. Equitable Energy Upgrade Program.

16 (a) The General Assembly finds and declares that Illinois
17 homes and businesses can contribute to the creation of a clean
18 energy economy, conservation of natural resources, and
19 reliability of the electricity grid through the installation
20 of cost-effective renewable energy generation, energy
21 efficiency, and energy storage systems. Further, a large
22 portion of Illinois residents and businesses that would
23 benefit from the installation of energy efficiency, storage,
24 and renewable energy generation systems are unable to purchase

1 systems due to capital or credit barriers. This State should
2 pursue options to enable many more Illinoisans to access the
3 health, environmental, and financial benefits of new clean
4 energy technology.

5 (b) As used in this Section:

6 "Commission" means the Illinois Commerce Commission.

7 "Energy project" means renewable energy generation
8 systems, including solar projects, energy efficiency upgrades,
9 energy storage systems, or any combination thereof.

10 "The Fund" means the Clean Energy Jobs and Justice Fund
11 established in the Illinois Clean Energy Jobs and Justice Fund
12 Act.

13 "Program" means the Equitable Energy Upgrade Program
14 established under subsection (c).

15 "Utility" means electric utilities providing services
16 under this Act.

17 (c) The Illinois Commerce Commission shall open an
18 investigation into and direct all electric utilities in this
19 State to adopt an Equitable Energy Upgrade Program that
20 permits customers to finance the construction of energy
21 projects through an optional tariff payable directly through
22 their utility bill, modeled after the Pay As You Save system,
23 developed by the Energy Efficiency Institute. The Program
24 model shall enable utilities to offer to make investments in
25 energy projects to customer properties with low-cost capital
26 and use an opt-in tariff to recover the costs. The Program

1 shall be designed to provide customers with immediate
2 financial savings if they choose to participate. The Program
3 shall allow residential electric utility customers that own
4 the property, or renters that have permission of the property
5 owner, for which they subscribe to utility service to agree to
6 the installation of an energy project. The Program shall
7 ensure:

8 (1) eligible projects do not require upfront payments;
9 however, customers may pay down the costs for projects
10 with a payment to the installing contractor in order to
11 qualify projects that would otherwise require upfront
12 payments;

13 (2) eligible projects have sufficient estimated
14 savings and estimated lifespan to produce significant,
15 immediate net savings;

16 (3) participants shall agree the utility can recover
17 its costs for the projects at their location by paying for
18 the project through an optional tariff directly through
19 the participant's electricity bill, allowing participants
20 to benefit from installation of energy projects without
21 traditional loans; and

22 (4) accessibility by lower-income residents and
23 environmental justice community residents.

24 (d) Program rollout. The Commission shall establish
25 Program guidelines with the anticipated schedule of Program
26 availability as follows:

1 (1) Year 1. Beginning in the first year of operation,
2 each utility is required to obtain low-cost capital of at
3 least \$20,000,000 annually for investments in energy
4 projects.

5 (2) Year 2. Beginning in the second year of operation,
6 each utility is required to obtain low-cost capital for
7 investments in energy projects of at least \$40,000,000
8 annually.

9 (3) Year 3. Beginning in the third year of operation,
10 each utility is required to obtain low-cost capital for
11 investments in as many systems as customers demand,
12 subject to available capital provided by the utility,
13 State, or other lenders.

14 (e) In the design of the Equitable Energy Upgrade Program,
15 the Commission shall:

16 (1) Within 270 days after the effective date of this
17 amendatory Act of the 102nd General Assembly, convene a
18 workshop during which interested participants may discuss
19 issues and submit comments related to the Program.

20 (2) Establish Program guidelines for implementation of
21 the Program in accordance with Pay As You Save Essential
22 Elements and Minimum Program Requirements that electric
23 utilities must abide by when implementing the Program.
24 Program guidelines established by the Commission shall
25 include the following elements:

26 (A) Capital funds. The Commission shall establish

1 conditions under which utilities secure capital to
2 fund the energy projects. The Commission may allow
3 utilities to raise capital independently, work with
4 third-party lenders to secure the capital for
5 participants, or a combination thereof. Any process
6 the Commission approves must use a market mechanism to
7 identify the least costly sources of capital funds so
8 as to pass on maximum savings to participants. The
9 State of Illinois or the Clean Energy Jobs and Justice
10 Fund may also choose to provide capital for this
11 Program.

12 (B) Customer protections. Customer protection
13 guidelines should be designed consistent with PAYS
14 Essential Elements and Minimum Program Requirements.

15 (C) Energy project vendors. The Commission shall
16 establish conditions by which utilities may connect
17 Program participants to energy project vendors. In
18 setting conditions for connection, the Commission may
19 prioritize vendors that have a history of good
20 relations with the State including vendors that have
21 hired participants from State-created job training
22 programs.

23 (D) Guarantee that conservative estimates of
24 financial savings will immediately and significantly
25 exceed Program costs for Program participants.

26 (f) Within 120 days after the Commission releases the

1 Program conditions established under this Section, each
2 utility subject to the requirements of this Section shall
3 submit an informational filing to the Commission that
4 describes its plan for implementing the provisions of this
5 Section. If the Commission finds that the submission does not
6 properly comply with the statutory or regulatory requirements
7 of the Program, the Commission may require that the utility
8 make modifications to its filing.

9 (g) An independent process evaluation shall be conducted
10 after one year of the Program's operation. An independent
11 impact evaluation shall be conducted after 3 years of
12 operation, excluding one-time startup costs and results from
13 the first 12 months of the Program. The Commission shall
14 convene an advisory council of stakeholders, including
15 representation of low-income and environmental justice
16 community members to make recommendations in response to the
17 findings of the independent evaluation.

18 (h) The Equitable Energy Upgrade Program shall be designed
19 using PAYS system guidelines to be cost-effective for
20 customers. Only projects that are deemed to be cost-effective
21 and can be reasonably expected to ensure customer savings are
22 eligible for funding through the Program, unless, as specified
23 in paragraph (1) of subsection (c), customers able to make
24 upfront copayments to installers buy down the cost of projects
25 so they can be deemed cost-effective.

26 (i) Eligible customers must be:

1 (1) property renters with permission of the property
2 owner; or

3 (2) property owners.

4 (j) Calculation of project cost-effectiveness shall be
5 based upon PAYS system requirements.

6 (1) The calculation of cost-effectiveness must be
7 conducted by an objective process approved by the
8 Commission and based on rates in effect at the time of
9 installation.

10 (2) A project shall be considered cost-effective only
11 if it is estimated to produce significant immediate net
12 savings, not counting copayments voluntarily made by
13 customers. The Commission may establish guidelines by
14 which this required savings is estimated.

15 (k) The Equitable Energy Upgrade Program should be modeled
16 after the Pay As You Save system, by which Program
17 participants finance energy projects using the savings that
18 the energy project creates with a tariffed on-bill program.
19 Eligible projects shall not create personal debt for the
20 customer, result in a lien in the event of nonpayment, or
21 require customers to pay monthly charges for any upgrade that
22 fails and is not repaired within 21 days. The utility may
23 restart charges once the upgrade is repaired and functioning
24 and extend the term of payments to recover its costs for missed
25 payments and deferred cost recovery, providing the upgrade
26 continues to function.

1 (l) Any energy project that is defective or damaged due to
2 no fault of the participant must be either replaced or
3 repaired with parts that meet industry standards at the cost
4 of the utility or vendor, as specified by the Commission, and
5 charges shall be suspended until repairs or replacement is
6 completed. The Commission may establish, increase, or replace
7 the requirements imposed in this subsection. The Commission
8 may determine that this responsibility is best handled by
9 participating project vendors in the form of insurance,
10 contractual guarantees, or other mechanisms, and issue rules
11 detailing this requirement. In no case will customers be
12 charged monthly payments for upgrades that are no longer
13 functioning.

14 (m) In the event of nonpayment, the remaining balance due
15 to pay off the system shall remain with the utility meter at an
16 upgraded location. The Commission shall establish conditions
17 subject to this constraint in the event of nonpayment that are
18 in accordance with the PAYS system.

19 (n) If the demand by utility customers exceeds the Program
20 capital supply in a given year, utilities shall ensure that
21 50% of participants are: (1) customers in neighborhoods where
22 a majority of households make 150% or less of area median
23 income; or (2) residents of environmental justice communities.

24 (o) Utilities shall endeavor to inform customers about the
25 availability of the Program, their potential eligibility for
26 participation in the Program, and whether they are likely to

1 save money on the basis of an estimate conducted using
2 variables consistent with the Program that the utility has at
3 its disposal. The Commission may establish guidelines by which
4 utilities must abide by this directive and alternatives if the
5 Commission deems utilities' efforts as inadequate.

6 (p) Subject to Commission specifications established in
7 subsection (c), each utility shall work with certified project
8 vendors selected using a request for proposals process to
9 establish the terms and processes under which a utility can
10 install eligible renewable energy generation and energy
11 storage systems using the capital to fit the Equitable Energy
12 Upgrade model. The certified project vendor shall explain and
13 offer the approved upgrades to customers and shall assist
14 customers in applying for financing through the Equitable
15 Energy Upgrade Program. As part of the process, vendors shall
16 also provide participants with information about any other
17 relevant incentives that may be available.

18 (q) An electric utility shall recover all of the prudently
19 incurred costs of offering a program approved by the
20 Commission under this Section. For investor-owned utilities,
21 shareholder incentives will be proportional to meeting
22 Commission approved thresholds for the number of customers
23 served and the amount of its investments in those locations.

24 (r) The Illinois Commerce Commission shall adopt all rules
25 necessary for the administration of this Section.

1 Section 90-20. The Environmental Protection Act is amended
2 by adding Section 9.18 as follows:

3 (415 ILCS 5/9.18 new)

4 Sec. 9.18. Energy community reinvestment fee.

5 (a) As used in this Section:

6 "Carbon dioxide equivalent" means a unit of measure
7 denoting the amount of emissions from a greenhouse gas,
8 expressed as the amount of carbon dioxide by weight that
9 produces the same global warming impact.

10 "Fossil fuel generating plant" means an electric
11 generating unit or a co-generating unit that produces
12 electricity using fossil fuels.

13 "Payment period" means the three-month period of time
14 during which emissions are measured for the purpose of
15 quarterly fee calculation.

16 (b) The General Assembly finds and declares that:

17 (1) the negative effects of fossil fuel-powered
18 electric generating units on human health, environmental
19 quality, and the climate of our planet require Illinois to
20 swiftly retire all such plants and shift to 100% renewable
21 energy;

22 (2) communities located near fossil fuel-powered
23 electric generating units have experienced these health
24 and environmental impacts most acutely;

25 (3) communities located near fossil fuel-powered

1 electric generating units will also experience economic
2 challenges as these plants retire;

3 (4) the assessment of a fee on the emissions of fossil
4 fuel generating plants will lower the exposure of
5 surrounding communities to harmful air pollutants by
6 providing incentive for fossil fuel generating plants to
7 reduce emissions;

8 (5) it is in the public interest that communities
9 located near fossil fuel-fired electric generating plants
10 should receive support in the form of economic
11 reinvestment, as recompense for the negative impacts of
12 the operation of fossil fuel-fired electric generating
13 plants, to invest in clean energy developments that reduce
14 the cumulative impacts of air pollution thus protecting
15 the public health, and as a means for creating new
16 economic growth and opportunity which is needed when the
17 plants retire; and

18 (6) this support should be paid for by the owners and
19 operators of fossil fuel-fired electric generating plants,
20 the operation of which caused harm to the surrounding
21 communities.

22 (c) Calculation of the Energy Community Reinvestment Fee.
23 The Agency shall establish procedures for the collection of
24 energy community reinvestment fees. Energy community
25 reinvestment fees shall be paid at least quarterly (once every
26 3 months) by owners of all fossil fuel generating plants in

1 Illinois, based on the share of each plant's contribution to
2 the total amount of air pollution emitted by all fossil fuel
3 generating plants in that payment period, as determined by the
4 Agency and described in this subsection (c).

5 (1) Pollution Calculation. The energy community
6 reinvestment fee shall be calculated to reflect the
7 pollution burden from fossil fuel generating plants, based
8 on the total emissions of greenhouse gases. The fee shall
9 be calculated based solely on emissions of carbon dioxide,
10 methane, and nitrous oxide measured in carbon dioxide
11 equivalent tons. The exclusive use of carbon dioxide,
12 methane, and nitrous oxide in the calculation of the fee
13 is designed to reflect the overall pollution impact from
14 each fossil fuel generating plant by using these
15 pollutants as a proximate measurement of overall
16 emissions.

17 (2) Fee Calculation. The Agency shall calculate the
18 fee owed by each fossil fuel generating plant owner for
19 each payment period by dividing (A) the total emissions of
20 carbon dioxide equivalents in tons by each plant as
21 described under paragraph (1) of this subsection (c) by
22 (B) the total emissions of carbon dioxide equivalents in
23 tons of all fossil fuel generating plants subject to the
24 energy community reinvestment fee, and multiplying that
25 figure by (C) the portion of the annual revenue
26 requirements, established in subsection (d) of Section

1 20-5 of the Energy Community Reinvestment Fund Act, for
2 that payment period.

3 (3) Right to Fee Reduction. The owner of each plant
4 liable to pay the energy community reinvestment fee shall
5 have the right to reduce its liability based on
6 electricity production as described in this paragraph (3).
7 If requested, the total amount owed each payment period
8 for any plant shall be no greater than the total amount of
9 kilowatt hours of electricity produced by the plant during
10 the payment period multiplied by one cent per kilowatt
11 hour, adjusted for inflation from the year this Act takes
12 effect. Upon request by a plant owner the Agency shall
13 adjust the total amount owed for each payment period by
14 the amount necessary to reflect a maximum cost calculated
15 based on electricity production.

16 (4) Notification by the Agency. The first payment
17 period shall begin June 1, 2021. No later than September
18 1, 2021, and every 3 months thereafter on the first of the
19 month, the Agency shall notify each fossil fuel generating
20 plant owner of the fee calculated pursuant to paragraph
21 (2) of this subsection (c) for the quarterly period just
22 concluded.

23 (5) Fee Collection. Plant owners shall remit payment
24 of their fee to the Agency within 30 days after the close
25 of each payment period, as established by the Agency.
26 Funds collected from the energy community reinvestment fee

1 shall be deposited into the Energy Community Reinvestment
2 Fund.

3 (d) If a plant owner subject to a fee under this Section
4 fails to pay the fee within 90 days after its due date, or
5 makes the fee payment from an account with insufficient funds
6 to cover the amount of the fee payment, the Agency shall notify
7 the plant owner of the failure to pay the fee. If the plant
8 owner fails to pay the fee within 60 days after such
9 notification, the Agency may, by written notice, immediately
10 revoke the air pollution operating permit. Failure of the
11 Agency to notify the plant owner of failure to pay a fee due
12 under this Section, or the payment of the fee from an account
13 with insufficient funds to cover the amount of the fee
14 payment, does not excuse or alter the duty of the plant owner
15 to comply with the provisions of this Section.

16 (e) No later than November 30 of each year, the Agency
17 shall submit a report to the Department of Commerce and
18 Economic Opportunity describing the amount of fees collected
19 from each fossil fuel-powered electric generating unit, the
20 status of any delinquencies, and the total amount expected to
21 be collected.

22 (f) Nothing in this Section shall be interpreted to mean
23 that the sum owed by each fossil fuel generating plant due to
24 the energy community reinvestment fee is equal to or greater
25 than the financial valuation of the total harm created by air
26 pollution from each plant.

1 (g) Enforcement.

2 (1) Any person may file with the Board a complaint,
3 following the procedures contained in subsection (d) of
4 Section 31 of this Act, against any person, the State of
5 Illinois, or any government official for failure to
6 perform any act or nondiscretionary duty under this
7 Section or for allegedly violating this Section, any rule
8 or regulation adopted under this Section, any permit or
9 term or condition of a permit related to this Section, or
10 any Board order issued pursuant to this Section. Any
11 person shall have standing in an action under this Section
12 before the Board. Any person may intervene as a party as a
13 matter of right in any legal action concerning this
14 Section, whichever the forum, if he or she is or may be
15 adversely affected by any failure to perform any act or
16 nondiscretionary duty under this Section or any alleged
17 violation of this Section, any rule or regulation adopted
18 under this Section, any permit or term or condition of a
19 permit, or any Board order, by any person, the State of
20 Illinois, or any government official. Any person with
21 standing to commence an action pursuant to subsection (e)
22 of Section 9.10 shall have standing to pursue enforcement
23 under this Section.

24 (2) In an action brought pursuant to this Section, any
25 person may request, and the Board or court may grant,
26 injunctive relief, damages (including reasonable attorney

1 and expert witness fees), and any other remedy available
2 pursuant to Sections 33 or 42 of this Act. The Board or
3 court may, if a temporary restraining order or preliminary
4 injunction is sought, require the filing of a bond or
5 equivalent security in accordance with the Illinois Code
6 of Civil Procedure.

7 (3) No existing civil or criminal remedy shall be
8 excluded or impaired by this Section.

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

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Statutes amended in order of appearance

3

New Act

4

30 ILCS 105/5.935 new

5

30 ILCS 105/5.937 new

6

105 ILCS 5/2-3.182 new

7

220 ILCS 5/16-111.10 new

8

415 ILCS 5/9.18 new