



Rep. Lawrence Walsh, Jr.

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10200SB3866ham001

LRB102 24630 AMQ 37635 a

1 AMENDMENT TO SENATE BILL 3866

2 AMENDMENT NO. _____. Amend Senate Bill 3866 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Energy Transition Act is amended by
5 changing Section 5-40 as follows:

6 (20 ILCS 730/5-40)

7 (Section scheduled to be repealed on September 15, 2045)

8 Sec. 5-40. Illinois Climate Works Preapprenticeship
9 Program.

10 (a) Subject to appropriation, the Department shall
11 develop, and through Regional Administrators administer, the
12 Illinois Climate Works Preapprenticeship Program. The goal of
13 the Illinois Climate Works Preapprenticeship Program is to
14 create a network of hubs throughout the State that will
15 recruit, prescreen, and provide preapprenticeship skills
16 training, for which participants may attend free of charge and

1 receive a stipend, to create a qualified, diverse pipeline of
2 workers who are prepared for careers in the construction and
3 building trades and clean energy jobs opportunities therein.
4 Upon completion of the Illinois Climate Works
5 Preapprenticeship Program, the candidates will be connected to
6 and prepared to successfully complete an apprenticeship
7 program.

8 (b) Each Climate Works Hub that receives funding from the
9 Energy Transition Assistance Fund shall provide an annual
10 report to the Illinois Works Review Panel by April 1 of each
11 calendar year. The annual report shall include the following
12 information:

13 (1) a description of the Climate Works Hub's
14 recruitment, screening, and training efforts, including a
15 description of training related to construction and
16 building trades opportunities in clean energy jobs;

17 (2) the number of individuals who apply to,
18 participate in, and complete the Climate Works Hub's
19 program, broken down by race, gender, age, and veteran
20 status;

21 (3) the number of the individuals referenced in
22 paragraph (2) of this subsection who are initially
23 accepted and placed into apprenticeship programs in the
24 construction and building trades; and

25 (4) the number of individuals referenced in paragraph
26 (2) of this subsection who remain in apprenticeship

1 programs in the construction and building trades or have
2 become journeymen one calendar year after their placement,
3 as referenced in paragraph (3) of this subsection.

4 (c) Subject to appropriation, the Department shall provide
5 funding to 3 Climate Works Hubs throughout the State,
6 including one to the Illinois Department of Transportation
7 Region 1, one to the Illinois Department of Transportation
8 Regions 2 and 3, and one to the Illinois Department of
9 Transportation Regions 4 and 5. Climate Works Hubs shall be
10 awarded grants in multi-year increments not to exceed 36
11 months with the opportunity for grant renewal and modification
12 for subsequent years. The Department shall initially select a
13 community-based provider in each region and shall subsequently
14 select a community-based provider in each region every 3
15 years.

16 (d) Each Climate Works Hub that receives funding from the
17 Energy Transition Assistance Fund shall: ~~The Climate Works~~
18 ~~Hubs shall recruit, prescreen, and provide preapprenticeship~~
19 ~~training to equity investment eligible persons. This training~~
20 ~~shall include information related to opportunities and~~
21 ~~certifications relevant to clean energy jobs in the~~
22 ~~construction and building trades.~~

23 (1) recruit, prescreen, and provide preapprenticeship
24 training to equity investment eligible persons;

25 (2) provide training information related to
26 opportunities and certifications relevant to clean energy

1 jobs in the construction and building trades; and

2 (3) provide preapprentices with stipends not less than
3 the State minimum wage unless a higher wage is required by
4 a locality where the preapprenticeship training program is
5 sited.

6 (d-5) Priority shall be given to Climate Works Hubs that
7 have an agreement with North American Building Trades Unions
8 (NABTU) to utilize the Multi-Craft Core Curriculum or
9 successor curriculums.

10 (e) Funding for the Program is subject to appropriation
11 from the Energy Transition Assistance Fund.

12 (f) The Department shall adopt any rules deemed necessary
13 to implement this Section.

14 (Source: P.A. 102-662, eff. 9-15-21.)

15 Section 10. The Public Utilities Act is amended by
16 changing Sections 5-117, 8-218, and 16-108.30 and by adding
17 Section 16-111.11 as follows:

18 (220 ILCS 5/5-117)

19 Sec. 5-117. Supplier diversity goals.

20 (a) The public policy of this State is to collaboratively
21 work with companies that serve Illinois residents to improve
22 their supplier diversity in a non-antagonistic manner.

23 (b) The Commission shall require all gas, electric, and
24 water utilities ~~companies~~ with at least 100,000 customers

1 under its authority, ~~as well as suppliers of wind energy,~~
2 ~~solar energy, hydroelectricity, nuclear energy, and any other~~
3 ~~supplier of energy within this State,~~ to submit an annual
4 report by April 15, 2015 and every April 15 thereafter, in a
5 searchable Adobe PDF format, on all procurement goals and
6 actual spending for female-owned, minority-owned,
7 veteran-owned, and small business enterprises in the previous
8 calendar year. These goals shall be expressed as a percentage
9 of the total work performed by the entity submitting the
10 report, and the actual spending for all female-owned,
11 minority-owned, veteran-owned, and small business enterprises
12 shall also be expressed as a percentage of the total work
13 performed by the entity submitting the report.

14 (c) Each participating company in its annual report shall
15 include the following information:

16 (1) an explanation of the plan for the next year to
17 increase participation;

18 (2) an explanation of the plan to increase the goals;

19 (3) the areas of procurement each company shall be
20 actively seeking more participation in the next year;

21 (3.5) a buying plan for the specific goods and
22 services the company intends to buy in the next 6 to 18
23 months, including any procurement codes used by the
24 company, to assist entrepreneurs and diverse companies to
25 understand upcoming opportunities to work with the
26 company;

1 (4) an outline of the plan to alert and encourage
2 potential vendors in that area to seek business from the
3 company;

4 (5) an explanation of the challenges faced in finding
5 quality vendors and offer any suggestions for what the
6 Commission could do to be helpful to identify those
7 vendors;

8 (6) a list of the certifications the company
9 recognizes;

10 (7) the point of contact for any potential vendor who
11 wishes to do business with the company and explain the
12 process for a vendor to enroll with the company as a
13 minority-owned, women-owned, or veteran-owned company; and

14 (8) any particular success stories to encourage other
15 companies to emulate best practices.

16 (d) Each annual report shall include as much
17 State-specific data as possible. If the submitting entity does
18 not submit State-specific data, then the company shall include
19 any national data it does have and explain why it could not
20 submit State-specific data and how it intends to do so in
21 future reports, if possible.

22 (e) Each annual report shall include the rules,
23 regulations, and definitions used for the procurement goals in
24 the company's annual report.

25 (f) The Commission and all participating entities shall
26 hold an annual workshop open to the public in 2015 and every

1 year thereafter on the state of supplier diversity to
2 collaboratively seek solutions to structural impediments to
3 achieving stated goals, including testimony from each
4 participating entity as well as subject matter experts and
5 advocates. The Commission shall publish a database on its
6 website of the point of contact for each participating entity
7 for supplier diversity, along with a list of certifications
8 each company recognizes from the information submitted in each
9 annual report. The Commission shall publish each annual report
10 on its website and shall maintain each annual report for at
11 least 5 years.

12 (Source: P.A. 102-558, eff. 8-20-21; 102-662, eff. 9-15-21;
13 102-673, eff. 11-30-21.)

14 (220 ILCS 5/8-218)

15 Sec. 8-218. Utility-scale pilot projects.

16 (a) Electric utilities serving greater than 500,000
17 customers but less than 3,000,000 customers may propose, plan
18 for, construct, install, control, own, manage, or operate up
19 to 2 pilot projects consisting of utility-scale photovoltaic
20 energy generation facilities. A pilot project may consist of
21 photovoltaic energy generation facilities located on one or
22 more sites and may be installed or constructed in phases.
23 Energy storage facilities that are planned for, constructed,
24 installed, controlled, owned, managed, or operated may be
25 constructed in connection with the photovoltaic electricity

1 generation pilot projects.

2 (b) Pilot projects shall be sited in equity investment
3 eligible communities in or near the towns of Peoria and East
4 St. Louis and must result in economic benefits for the members
5 of the communities in which the project will be located. The
6 amount paid per pilot project with or without energy storage
7 facilities cannot exceed \$20,000,000. The electric utility's
8 costs of planning for, constructing, installing, controlling,
9 owning, managing, or operating the photovoltaic electricity
10 generation facilities and energy storage facilities may be
11 recovered, on a kilowatt hour basis, via an automatic
12 adjustment clause tariff applicable to all retail customers,
13 with the tariff to be approved by the Commission after
14 opportunity for review, and with an annual reconciliation
15 component; and for purposes of cost recovery, the photovoltaic
16 electricity production facilities may be treated as regulatory
17 assets, using the same ratemaking treatment in paragraph (1)
18 of subsection (h) of Section 16-107.6 of this Act, provided:
19 (1) the Commission shall have the authority to determine the
20 reasonableness of the costs of the facilities, and (2) any
21 monetary value of power and energy from the facilities shall
22 be credited against the delivery services revenue requirement.

23 (c) Any electric utility seeking to propose, plan for,
24 construct, install, control, own, manage, or operate a pilot
25 project pursuant to this Section must commit to using a
26 diverse and equitable workforce and a diverse set of

1 contractors, including minority-owned businesses,
2 disadvantaged businesses, trade unions, graduates of any
3 workforce training programs established by this amendatory Act
4 of the 102nd General Assembly, and small businesses. An
5 electric utility must comply with the equity commitment
6 requirements in subsection (c-10) of Section 1-75 of the
7 Illinois Power Agency Act. The electric utility must certify
8 that not less than the prevailing wage will be paid to
9 employees engaged in construction activities associated with
10 the pilot project. The electric utility must file a project
11 labor agreement, as defined in the Illinois Power Agency Act,
12 with the Commission prior to constructing, installing,
13 controlling, or owning a pilot project authorized by this
14 Section.

15 (Source: P.A. 102-662, eff. 9-15-21.)

16 (220 ILCS 5/16-108.30)

17 Sec. 16-108.30. Energy Transition Assistance Fund.

18 (a) The Energy Transition Assistance Fund is hereby
19 created as a special fund in the State Treasury. The Energy
20 Transition Assistance Fund is authorized to receive moneys
21 collected pursuant to this Section. Subject to appropriation,
22 the Department of Commerce and Economic Opportunity shall use
23 moneys from the Energy Transition Assistance Fund consistent
24 with the purposes of this Act.

25 (b) An electric utility serving more than 500,000

1 customers in the State shall assess an energy transition
2 assistance charge on all its retail customers for the Energy
3 Transition Assistance Fund. The utility's total charge shall
4 be set based upon the value determined by the Department of
5 Commerce and Economic Opportunity pursuant to subsection (d)
6 or (e), as applicable, of Section 605-1075 of the Department
7 of Commerce and Economic Opportunity Law of the Civil
8 Administrative Code of Illinois. For each utility, the charge
9 shall be recovered through a single, uniform cents per
10 kilowatt-hour charge applicable to all retail customers. For
11 each utility, the charge shall not exceed 1.3% of the amount
12 paid per kilowatthour by eligible retail ~~these~~ customers
13 during the year ending May 31, 2009.

14 (c) Within 75 days of the effective date of this
15 amendatory Act of the 102nd General Assembly, each electric
16 utility serving more than 500,000 customers in the State shall
17 file with the Illinois Commerce Commission tariffs
18 incorporating the energy transition assistance charge in other
19 charges stated in such tariffs, which energy transition
20 assistance charges shall become effective no later than the
21 beginning of the first billing cycle that begins on or after
22 January 1, 2022. Each electric utility serving more than
23 500,000 customers in the State shall, prior to the beginning
24 of each calendar year starting with calendar year 2023, file
25 with the Illinois Commerce Commission tariff revisions to
26 incorporate annual revisions to the energy transition

1 assistance charge as prescribed by the Department of Commerce
2 and Economic Opportunity pursuant to Section 605-1075 of the
3 Department of Commerce and Economic Opportunity Law of the
4 Civil Administrative Code of Illinois so that such revision
5 becomes effective no later than the beginning of the first
6 billing cycle in each respective year.

7 (d) The energy transition assistance charge shall be
8 considered a charge for public utility service.

9 (e) By the 20th day of the month following the month in
10 which the charges imposed by this Section were collected, each
11 electric utility serving more than 500,000 customers in the
12 State shall remit to Department of Revenue all moneys received
13 as payment of the energy transition assistance charge on a
14 return prescribed and furnished by the Department of Revenue
15 showing such information as the Department of Revenue may
16 reasonably require. If a customer makes a partial payment, a
17 public utility may apply such partial payments first to
18 amounts owed to the utility. No customer may be subjected to
19 disconnection of his or her utility service for failure to pay
20 the energy transition assistance charge.

21 If any payment provided for in this subsection exceeds the
22 electric utility's liabilities under this Act, as shown on an
23 original return, the Department may authorize the electric
24 utility to credit such excess payment against liability
25 subsequently to be remitted to the Department under this Act,
26 in accordance with reasonable rules adopted by the Department.

1 All the provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e,
2 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13
3 of the Retailers' Occupation Tax Act that are not inconsistent
4 with this Act apply, as far as practicable, to the charge
5 imposed by this Act to the same extent as if those provisions
6 were included in this Act. References in the incorporated
7 Sections of the Retailers' Occupation Tax Act to retailers, to
8 sellers, or to persons engaged in the business of selling
9 tangible personal property mean persons required to remit the
10 charge imposed under this Act.

11 (f) The Department of Revenue shall deposit into the
12 Energy Transition Assistance Fund all moneys remitted to it in
13 accordance with this Section.

14 (g) The Department of Revenue may establish such rules as
15 it deems necessary to implement this Section.

16 (h) The Department of Commerce and Economic Opportunity
17 may establish such rules as it deems necessary to implement
18 this Section.

19 (Source: P.A. 102-662, eff. 9-15-21.)

20 (220 ILCS 5/16-111.11 new)

21 Sec. 16-111.11. Supplier diversity reporting for
22 non-utilities.

23 (a) The following entities shall submit an annual supplier
24 diversity report to the Commission for a given year:

25 (1) entities that received a contract to provide more

1 than 10,000 renewable energy credits approved by the
2 Commission in a given year pursuant to subparagraph (iii)
3 of paragraph (5) of subsection (b) of Section 16-111.5;

4 (2) entities that received a contract to provide more
5 than 10,000 renewable energy credits approved by the
6 Commission in a given year pursuant to subsection (e) of
7 Section 16-111.5;

8 (3) alternative retail electric suppliers that have
9 yearly sales in the State of 1,000,000,000 kilowatt hours
10 or more, and alternative gas suppliers as defined in
11 Section 19-105 that have yearly sales in the State of
12 1,000,000 dekatherms or more;

13 (4) entities constructing or operating an HVDC
14 transmission line as defined in Section 1-10 of the
15 Illinois Power Agency Act or entities constructing or
16 operating transmission facilities under a certificate of
17 public convenience and necessity issued pursuant to
18 subsection (b-5) of Section 8-406;

19 (5) entities installing more than 100 energy
20 efficiency measures with a certificate approved by the
21 Commission pursuant to Section 16-128B; and

22 (6) other suppliers of electricity generated from any
23 resource, including, but not limited to, hydro, nuclear,
24 coal, natural gas, and any other supplier of energy within
25 this State.

26 (b) An annual report filed pursuant to this Section shall

1 be filed on an electronic form as designed by the Commission by
2 June 1, 2023 and every June 1 thereafter, in a searchable Adobe
3 PDF format, on all procurement goals and actual spending for
4 women-owned businesses, minority-owned businesses,
5 veteran-owned businesses, and small business enterprises in
6 the previous calendar year related to the performance of
7 obligations in the State of the contracts of licenses listed
8 in subsection (a). These goals shall be expressed as a
9 percentage of the total work performed by the entity
10 submitting the report. The actual spending for all women-owned
11 businesses, minority-owned businesses, veteran-owned
12 businesses, and small business enterprises shall also be
13 expressed as a percentage of the total work performed by the
14 entity submitting the report. Notwithstanding any provision of
15 law to the contrary, any entity with obligations related to
16 equity eligible actions pursuant to the Illinois Power Agency
17 Act may express such goals and spending in those terms.

18 Each participating entity in its annual report shall
19 include the following information related to the entity's
20 operations in the State related to the certificates or
21 activities listed in subsection (a):

22 (1) an explanation of the plan for the next year to
23 increase participation;

24 (2) an explanation of the plan to increase the goals;

25 (3) the areas of procurement each entity shall be
26 actively seeking more participation in the next year;

1 (4) an outline of the plan to alert and encourage
2 potential vendors in that area to seek business from the
3 entity;

4 (5) an explanation of the challenges faced in finding
5 quality vendors and offer any suggestions for what the
6 Commission could do to be helpful to identify those
7 vendors;

8 (6) a list of the certifications the entity
9 recognizes;

10 (7) the point of contact for any potential vendor who
11 wants to do business with the entity and explain the
12 process for a vendor to enroll with the company as a
13 minority-owned, women-owned, or veteran-owned company; and

14 (8) any particular success stories to encourage other
15 entities to emulate best practices.

16 (c) Each annual report shall include as much
17 State-specific data as possible. If the submitting entity does
18 not submit State-specific data, then the entity shall include
19 any national data it does have and explain why it could not
20 submit State-specific data and how it intends to do so in
21 future reports.

22 (d) Each annual report shall include the rules,
23 regulations, and definitions used for the procurement goals in
24 the entity's annual report.

25 (e) Each annual report filed or submitted under this
26 Section shall be submitted with the Commission. The Commission

1 shall not be required or authorized to compel production of
2 any report under this Section. The Commission shall hold an
3 annual workshop open to the public in 2024 and every year
4 thereafter on the state of supplier diversity to
5 collaboratively seek solutions to structural impediments to
6 achieving stated goals, including testimony from participating
7 entities as well as subject matter experts and advocates in a
8 non-antagonistic manner. The Commission shall invite all
9 entities submitting a report pursuant to this Section. The
10 Commission shall publish a database on its website of the
11 point of contact for each participating entity for supplier
12 diversity, along with a list of certifications each company
13 recognizes from the information submitted in each annual
14 report. The Commission shall publish each annual report on its
15 website and shall maintain each annual report for at least 5
16 years."