



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

### HB3235

Introduced 2/17/2023, by Rep. Sonya M. Harper

#### SYNOPSIS AS INTRODUCED:

505 ILCS 135/6.1 new

Amends the Sustainable Agriculture Act. Provides that on or before January 1, 2024, the Department of Agriculture shall establish and implement a 3-year compost reimbursement pilot program to reimburse farming operations in this State for purchasing and using compost products, including transportation, equipment, spreading, and labor costs. Provides that the Department of Agriculture shall create an online form for eligible farming operations to apply for cost reimbursement. Provides that a farming operation may submit only one application for purchases made and usage costs incurred during any given fiscal year. Provides that applications for reimbursement must be filed: (1) on or before September 1, 2024, for compost purchased and usage costs incurred in fiscal year 2024; (2) on or before September 1, 2025, for compost purchased and usage costs incurred in fiscal year 2025; and (3) on or before September 1, 2026, for compost purchased and usage costs incurred in fiscal year 2026. Provides that (1) a farming operation may not receive more than 50% of the costs it has incurred for the purchase and use of compost products, including transportation, equipment, spreading, and labor costs; (2) a farming operation may not receive more than \$50,000 per year; and (3) a farming operation may not receive reimbursement for compost products that it has transferred, or intends to transfer, to another individual or entity, whether or not for compensation. Provides that the provision is repealed on January 1, 2027. Effective immediately.

LRB103 29696 RLC 56101 b

1 AN ACT concerning agriculture.

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

4 Section 5. The Sustainable Agriculture Act is amended by  
5 adding Section 6.1 as follows:

6 (505 ILCS 135/6.1 new)

7 Sec. 6.1. Compost incentive pilot program.

8 (a) In this Section, "farming operation" means a  
9 commercial agricultural, silvicultural, or aquacultural  
10 facility or pursuit, including the care and production of  
11 livestock and livestock products, poultry and poultry  
12 products, apiary products, and plant and animal production for  
13 nonfood uses; the planting, cultivating, harvesting, and  
14 processing of crops; and the farming or ranching of any plant  
15 or animal species in a controlled salt, brackish, or  
16 freshwater environment.

17 (b) On or before January 1, 2024, the Department of  
18 Agriculture shall establish and implement a 3-year compost  
19 reimbursement pilot program to reimburse farming operations in  
20 this State for purchasing and using compost products,  
21 including transportation, equipment, spreading, and labor  
22 costs.

23 (c) The Department of Agriculture shall create an online

1 form for eligible farming operations to apply for cost  
2 reimbursement. All applications for cost reimbursement must be  
3 submitted on the form along with documentation of the costs of  
4 purchasing and using compost products for which the applicant  
5 is requesting reimbursement. The Department of Agriculture may  
6 request that an applicant provide information to verify the  
7 size, sale weight, or amount of compost products purchased and  
8 the cost of transportation, equipment, spreading, and labor.  
9 The applicant must also declare that it is not seeking  
10 reimbursement for compost products that it has transferred, or  
11 intends to transfer, to another individual or entity, whether  
12 or not for compensation.

13 (d) A farming operation may submit only one application  
14 for purchases made and usage costs incurred during any given  
15 fiscal year. Applications for reimbursement must be filed:

16 (1) on or before September 1, 2024, for compost  
17 purchased and usage costs incurred in fiscal year 2024;

18 (2) on or before September 1, 2025, for compost  
19 purchased and usage costs incurred in fiscal year 2025;

20 and

21 (3) on or before September 1, 2026, for compost  
22 purchased and usage costs incurred in fiscal year 2026.

23 (e) The Department of Agriculture must distribute  
24 reimbursement funds on a first-come, first-served basis,  
25 subject to the following limitations:

26 (1) a farming operation may not receive more than 50%

1 of the costs it has incurred for the purchase and use of  
2 compost products, including transportation, equipment,  
3 spreading, and labor costs;

4 (2) a farming operation may not receive more than  
5 \$50,000 per year; and

6 (3) a farming operation may not receive reimbursement  
7 for compost products that it has transferred, or intends  
8 to transfer, to another individual or entity, whether or  
9 not for compensation.

10 (f) The applicant shall indemnify and hold harmless the  
11 State and its officers, agents, and employees from all claims  
12 arising out of or resulting from the compost products  
13 purchased that are subject to the compost reimbursement pilot  
14 program under this Section.

15 (g) This Section is repealed on January 1, 2027.

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law.