



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3685

Introduced 2/9/2024, by Sen. Michael W. Halpin

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.1015 new
415 ILCS 5/Tit. XVIII heading new
415 ILCS 5/59 new
415 ILCS 5/59.1 new
415 ILCS 5/59.2 new
415 ILCS 5/59.3 new
415 ILCS 5/59.3.5 new
415 ILCS 5/59.4 new

Amends the Environmental Protection Act. Creates the Renewable Fuels Infrastructure program. Provides that the Office of the State Fire Marshal shall provide grants to petroleum marketers, petroleum terminal operators, and any other companies that the Office of the State Fire Marshal determines are eligible for grant funding. Provides that eligible expenditures include tank modifications, tanks, piping, and fuel dispensers. Provides that an eligible grant recipient shall not receive more than \$1,000,000 in grant funding. Provides that no funding under the program shall be made available to a public body. Creates the Renewable Fuels Infrastructure Fund as a special fund in the State treasury. Provides that, from July 1, 2024 to June 30, 2026, the Comptroller shall order transferred, and the Treasurer shall transfer, \$3,000,000 each calendar quarter from the Underground Storage Tank Fund to the Renewable Fuel Infrastructure Fund, unless the Underground Storage Tank Fund has a balance at or below \$75,000,000. Creates the Renewable Fuels Infrastructure Task Force. Sets forth membership and duties of the Task Force. Amends the State Finance Act to make conforming changes. Effective July 1, 2024.

LRB103 39423 JAG 69606 b

1 AN ACT concerning safety.

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

4 Section 5. The State Finance Act is amended by adding
5 Section 5.1015 as follows:

6 (30 ILCS 105/5.1015 new)

7 Sec. 5.1015. The Renewable Fuels Infrastructure Fund.

8 Section 10. The Environmental Protection Act is amended by
9 adding Title XVIII as follows:

10 (415 ILCS 5/Tit. XVIII heading new)

11 TITLE XVIII: RENEWABLE FUELS INFRASTRUCTURE PROGRAM

12 (415 ILCS 5/59 new)

13 Sec. 59. Creation; administration. The General Assembly
14 hereby establishes the Renewable Fuel Infrastructure Program
15 (RFI Program). The State Fire Marshal shall administer the
16 Renewable Infrastructure Program in accordance with the terms
17 of this Title. Grants may be awarded from the Renewable Fuels
18 Infrastructure Fund to applicants satisfying the application
19 and eligibility requirements established by the Office of the
20 State Fire Marshal.

1 (415 ILCS 5/59.1 new)

2 Sec. 59.1. Renewable Fuels Infrastructure Fund.

3 (a) The Renewable Fuels Infrastructure Fund is created as
4 a special fund in the State treasury. The Fund may accept
5 moneys from any lawful source. Any interest earned on moneys
6 in the Fund shall be deposited into the Fund.

7 (b) Moneys in the Fund shall be used by the Office of the
8 State Fire Marshal solely to provide grants to petroleum
9 marketers, petroleum terminal operators, and any other
10 companies that the Office of the State Fire Marshal, by rule,
11 determines are eligible for grant funding under this Title.

12 (c) An eligible grant recipient shall not receive more
13 than \$1,000,000 in grant funding under this Title.

14 (415 ILCS 5/59.2 new)

15 Sec. 59.2. Funding. From July 1, 2024, to June 30, 2026,
16 the Comptroller shall order transferred, and the Treasurer
17 shall transfer, \$3,000,000 each calendar quarter from the
18 Underground Storage Tank Fund to the Renewable Fuel
19 Infrastructure Fund for the purpose of establishing a grant
20 program funding the installation of equipment for the storage
21 and dispensing fuels with higher blends of ethanol or
22 biodiesel feedstock. For the purposes of this Section, "higher
23 blends" means gasoline blends greater than E-10 and biodiesel
24 blends greater than B-10. No transfer shall take place from

1 the Underground Storage Tank Fund to the Renewable Fuel
2 Infrastructure Fund in any calendar quarter from July 1, 2024,
3 to June 30, 2026, when the Underground Storage Tank Fund has a
4 balance at or below \$75,000,000.

5 (415 ILCS 5/59.3 new)

6 Sec. 59.3. Eligibility. Eligible recipients for grant
7 funding under this Title are exclusively limited to retail
8 petroleum marketers, petroleum terminal operators, and any
9 other related companies identified by the Office of the State
10 Fire Marshal, by rule. No funding shall be made available to
11 any public body pursuant to this Title. Applicants for grant
12 funding under this Title are responsible for covering at least
13 50% of the costs associated with installing the equipment for
14 which grant funding is provided under this Title. A company
15 may not apply for more than \$1,000,000 in grant funding under
16 this Title or more than \$100,000 for any one site.

17 In this Section, "public body" has the meaning given to
18 that term in Section 1.02 of the Open Meetings Act.

19 (415 ILCS 5/59.3.5 new)

20 Sec. 59.3.5. Task Force. The Office of the State Fire
21 Marshal shall establish the Renewable Fuels Infrastructure
22 Task Force. The Office of the State Fire Marshal shall solicit
23 feedback from and consult with, at least annually,
24 representatives from stakeholder groups. The Task Force shall

1 be composed of 6 members representing petroleum marketers,
2 petroleum terminal operators, or any other related companies.
3 At least 3 of these 6 members shall hold a valid motor fuel tax
4 license. The Task Force shall also include 2 members
5 representing Illinois corn growers and 2 members representing
6 Illinois soybean growers. Task Force members shall be selected
7 by the Office of the State Fire Marshal. The substance of
8 consultations shall include, but may not be limited to, an
9 overall review of the Renewable Fuels Infrastructure program,
10 whether the Renewable Infrastructure program is meeting its
11 goals and whether the Renewable Fuels Infrastructure program
12 should be renewed beyond June 30, 2026. The Renewable Fuels
13 Infrastructure Task Force shall not have binding
14 decision-making authority.

15 (415 ILCS 5/59.4 new)

16 Sec. 59.4. Expenditures. Eligible expenditures include
17 tank modifications, tanks, piping, fuel dispensers, and any
18 other equipment deemed necessary by the Office of the State
19 Fire Marshal, by rule.

20 Section 99. Effective date. This Act takes effect July 1,
21 2024.