

1 AN ACT to concerning environmental safety.

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

4 Section 5. The Environmental Protection Act is amended by
5 changing Sections 9, 10, 31.1, and 42 as follows:

6 (415 ILCS 5/9) (from Ch. 111 1/2, par. 1009)

7 Sec. 9. Acts prohibited. No person shall:

8 (a) Cause or threaten or allow the discharge or emission
9 of any contaminant into the environment in any State so as to
10 cause or tend to cause air pollution in Illinois, either
11 alone or in combination with contaminants from other sources,
12 or so as to violate regulations or standards adopted by the
13 Board under this Act;

14 (b) Construct, install, or operate any equipment,
15 facility, vehicle, vessel, or aircraft capable of causing or
16 contributing to air pollution or designed to prevent air
17 pollution, of any type designated by Board regulations,
18 without a permit granted by the Agency, or in violation of
19 any conditions imposed by such permit;

20 (c) Cause or allow the open burning of refuse, conduct
21 any salvage operation by open burning, or cause or allow the
22 burning of any refuse in any chamber not specifically
23 permitted ~~designed-for-the-purpose-and-approved~~ by the Agency
24 pursuant to regulations adopted by the Board under this Act;
25 except that the Board may adopt regulations permitting open
26 burning of refuse in certain cases upon a finding that no
27 harm will result from such burning, or that any alternative
28 method of disposing of such refuse would create a safety
29 hazard so extreme as to justify the pollution that would
30 result from such burning;

31 (d) Sell, offer, or use any fuel or other article in any

1 areas in which the Board may by regulation forbid its sale,
2 offer, or use for reasons of air pollution ~~air-pollution~~
3 control;

4 (e) Use, cause or allow the spraying of loose asbestos
5 for the purpose of fireproofing or insulating any building or
6 building material or other constructions, or otherwise use
7 asbestos in such unconfined manner as to permit asbestos
8 fibers or particles to pollute the air;

9 (f) Commencing July 1, 1985, sell any used oil for
10 burning or incineration in any incinerator, boiler, furnace,
11 burner or other equipment unless such oil meets standards
12 based on virgin fuel oil or re-refined oil, as defined in
13 ASTM D-396 or specifications under VV-F-815C promulgated
14 pursuant to the federal Energy Policy and Conservation Act,
15 and meets the manufacturer's and current NFDA code standards
16 for which such incinerator, boiler, furnace, burner or other
17 equipment was approved, except that this prohibition does not
18 apply to a sale to a permitted used oil re-refining or
19 reprocessing facility or sale to a facility permitted by the
20 Agency to burn or incinerate such oil.

21 Nothing herein shall limit the effect of any section of
22 this Title with respect to any form of asbestos, or the
23 spraying of any form of asbestos, or limit the power of the
24 Board under this Title to adopt additional and further
25 regulations with respect to any form of asbestos, or the
26 spraying of any form of asbestos.

27 Except as provided in subsection (C) of Section 10, this
28 Section shall not limit the burning of landscape waste upon
29 the premises where it is produced or at sites provided and
30 supervised by any unit of local government, ~~-except-within-any~~
31 ~~county-having-a-population-of-more-than-400,000.~~ Nothing in
32 this Section shall be construed to prohibit the open burning
33 of landscape waste for agricultural purposes (including but
34 not limited to the open burning of landscape waste by

1 production nurseries and the open burning of landscape waste
 2 generated on a farm), habitat management purposes (including
 3 but not limited to forest and prairie reclamation), or
 4 firefighter training. For the purposes of this subsection,
 5 "farm" has the same meaning as under Section 1-60 of the
 6 Property Tax Code Act, ~~the burning of landscape waste by~~
 7 ~~production nurseries shall be considered to be burning for~~
 8 ~~agricultural purposes.~~

9 Any grain elevator located outside of a major population
 10 area, as defined in Section 211.3610 of Title 35 of the
 11 Illinois Administrative Code, shall be exempt from the
 12 requirements of Section 212.462 of Title 35 of the Illinois
 13 Administrative Code provided that the elevator: (1) does not
 14 violate the prohibitions of subsection (a) of this Section or
 15 have a certified investigation, as defined in Section 211.970
 16 of Title 35 of the Illinois Administrative Code, on file with
 17 the Agency and (2) is not required to obtain a Clean Air Act
 18 Permit Program permit pursuant to Section 39.5.
 19 Notwithstanding the above exemption, new stationary source
 20 performance standards for grain elevators, established
 21 pursuant to Section 9.1 of this Act and Section 111 of the
 22 federal Clean Air Act, shall continue to apply to grain
 23 elevators.

24 (Source: P.A. 88-488; 89-328, eff. 8-17-95; 89-491, eff.
 25 6-21-96.)

26 (415 ILCS 5/10) (from Ch. 111 1/2, par. 1010)

27 Sec. 10. Rules Regulations.

28 (A) The Board, pursuant to procedures prescribed in
 29 Title VII of this Act, may adopt regulations to promote the
 30 purposes of this Title. Without limiting the generality of
 31 this authority, such regulations may among other things
 32 prescribe:

33 (a) Ambient air quality standards specifying the

1 maximum permissible short-term and long-term
2 concentrations of various contaminants in the atmosphere;

3 (b) Emission standards specifying the maximum
4 amounts or concentrations of various contaminants that
5 may be discharged into the atmosphere;

6 (c) Standards for the issuance of permits for
7 construction, installation, or operation of any
8 equipment, facility, vehicle, vessel, or aircraft capable
9 of causing or contributing to air pollution or designed
10 to prevent air pollution;

11 (d) Standards and conditions regarding the sale,
12 offer, or use of any fuel, vehicle, or other article
13 determined by the Board to constitute an air pollution
14 ~~air-pollution~~ hazard;

15 (e) Alert and abatement standards relative to air
16 pollution ~~air-pollution~~ episodes or emergencies
17 constituting an acute danger to health or to the
18 environment;

19 (f) Requirements and procedures for the inspection
20 of any equipment, facility, vehicle, vessel, or aircraft
21 that may cause or contribute to air pollution;

22 (g) Requirements and standards for equipment and
23 procedures for monitoring contaminant discharges at their
24 sources, the collection of samples and the collection,
25 reporting and retention of data resulting from such
26 monitoring.

27 (B) The Board shall adopt sulfur dioxide regulations and
28 emission standards for existing fuel combustion stationary
29 emission sources located in all areas of the State of
30 Illinois, except the Chicago, St. Louis (Illinois) and Peoria
31 major metropolitan areas, in accordance with the following
32 requirements:

33 (1) Such regulations shall not be more restrictive
34 than necessary to attain and maintain the "Primary

1 National Ambient Air Quality Standards for Sulfur
 2 Dioxide" and within a reasonable time attain and maintain
 3 the "Secondary National Ambient Air Quality Standards for
 4 Sulfur Dioxide."

5 (2) Such regulations shall be based upon ambient
 6 air quality monitoring data insofar as possible,
 7 consistent with regulations of the United States
 8 Environmental Protection Agency. To the extent that air
 9 quality modeling techniques are used for setting
 10 standards, such techniques shall be fully described and
 11 documented in the record of the Board's rulemaking
 12 proceeding.

13 (3) Such regulations shall provide a mechanism for
 14 the establishment of emission standards applicable to a
 15 specific site as an alternative to a more restrictive
 16 general emission standard. The Board shall delegate
 17 authority to the Agency to determine such specific site
 18 emission standards, pursuant to regulations adopted by
 19 the Board.

20 (4) Such regulations and standards shall allow all
 21 available alternative air quality control methods
 22 consistent with federal law and regulations.

23 (C) (1) No later than December 1, 2003, The--Board--may
 24 not-adopt-any-regulation-banning-the-burning-of-landscape
 25 waste--throughout--the--State--generally; the Board shall
 26 may, by rule, regulation, restrict or prohibit the open
 27 burning of landscape waste within any geographical area
 28 of the State that is classified on the effective date of
 29 this amendatory Act of the 93rd General Assembly as a
 30 moderate, serious, severe, or extreme non-attainment area
 31 for ozone under Section 181 of the federal Clean Air Act.
 32 Initial rules adopted to implement this amendatory Act of
 33 the 93rd General Assembly shall take effect on or before
 34 July 1, 2004. If a unit of local government has, prior to

1 the effective date of the Board's rules, adopted an
2 ordinance or regulation regarding the open burning of
3 landscape waste, the local ordinance or regulation shall
4 control so long as it remains in effect.

5 (2) The Board may also adopt rules prohibiting the
6 open burning of landscape waste in other geographical
7 areas of the State if it determines based on medical and
8 biological evidence generally accepted by the scientific
9 community that such burning will produce in the
10 atmosphere of that geographical area contaminants in
11 sufficient quantities and of such characteristics and
12 duration as to be injurious to human humans, plant, or
13 animal life, or health.

14 (3) Nothing in this Section shall be construed to
15 prohibit the open burning of landscape waste for
16 agricultural purposes (including but not limited to the
17 open burning of landscape waste by production nurseries
18 and the open burning of landscape waste generated on a
19 farm), habitat management purposes (including but not
20 limited to forest and prairie reclamation), or
21 firefighter training purposes. For the purposes of this
22 subsection, "farm" has the same meaning as under Section
23 1-60 of the Property Tax Code.

24 (4) A home rule unit may not regulate the open
25 burning of landscape waste in a manner inconsistent with
26 the regulation of open burning of landscape waste by the
27 State under this Section, unless the home rule unit has,
28 prior to the effective date of rules adopted by the Board
29 under subdivision (1), adopted ordinances or regulations
30 relating to the open burning of landscape waste and those
31 ordinances or regulations remain in effect. This Section
32 is a limitation under subsection (i) of Section 6 of
33 Article VII of the Illinois Constitution on the
34 concurrent exercise by home rule units of powers and

1 functions exercised by the State.

2 (D) The Board shall adopt regulations requiring the
3 owner or operator of a gasoline dispensing system that
4 dispenses more than 10,000 gallons of gasoline per month to
5 install and operate a system for the recovery of gasoline
6 vapor emissions arising from the fueling of motor vehicles
7 that meets the requirements of Section 182 of the federal
8 Clean Air Act (42 USC 7511a). These regulations shall apply
9 only in areas of the State that are classified as moderate,
10 serious, severe or extreme non-attainment areas for ozone
11 pursuant to Section 181 of the federal Clean Air Act (42 USC
12 7511), but shall not apply in such areas classified as
13 moderate non-attainment areas for ozone if the Administrator
14 of the U.S. Environmental Protection Agency promulgates
15 standards for vehicle-based (onboard) systems for the control
16 of vehicle refueling emissions pursuant to Section 202(a)(6)
17 of the federal Clean Air Act (42 USC 7521(a)(6)) by November
18 15, 1992.

19 (E) The Board shall not adopt or enforce any regulation
20 requiring the use of a tarpaulin or other covering on a
21 truck, trailer, or other vehicle that is stricter than the
22 requirements of Section 15-109.1 of the Illinois Vehicle
23 Code. To the extent that it is in conflict with this
24 subsection, the Board's rule codified as 35 Ill. Admin. Code,
25 Section 212.315 is hereby superseded.

26 (F) Any person who prior to June 8, 1988, has filed a
27 timely Notice of Intent to Petition for an Adjusted RACT
28 Emissions Limitation and who subsequently timely files a
29 completed petition for an adjusted RACT emissions limitation
30 pursuant to 35 Ill. Adm. Code, Part 215, Subpart I, shall be
31 subject to the procedures contained in Subpart I but shall be
32 excluded by operation of law from 35 Ill. Adm. Code, Part
33 215, Subparts PP, QQ and RR, including the applicable
34 definitions in 35 Ill. Adm. Code, Part 211. Such persons

1 shall instead be subject to a separate regulation which the
2 Board is hereby authorized to adopt pursuant to the adjusted
3 RACT emissions limitation procedure in 35 Ill. Adm. Code,
4 Part 215, Subpart I. In its final action on the petition,
5 the Board shall create a separate rule which establishes
6 Reasonably Available Control Technology (RACT) for such
7 person. The purpose of this procedure is to create separate
8 and independent regulations for purposes of SIP submittal,
9 review, and approval by USEPA.

10 (G) Subpart FF of Subtitle B, Title 35 Ill. Adm. Code,
11 Sections 218.720 through 218.730 and Sections 219.720 through
12 219.730, are hereby repealed by operation of law and are
13 rendered null and void and of no force and effect.

14 (Source: P.A. 88-381; 89-79, eff. 6-30-95.)

15 (415 ILCS 5/31.1) (from Ch. 111 1/2, par. 1031.1)

16 Sec. 31.1. Administrative citation.

17 (a) The prohibitions specified in subsections (o) and
18 (p) of Section 21 of this Act shall be enforceable either by
19 administrative citation under this Section or as otherwise
20 provided by this Act. A violation of subsection (C) of
21 Section 10 of this Act is enforceable either by
22 administrative citation under this Section or as otherwise
23 provided by this Act.

24 (b) Whenever Agency personnel or personnel of a unit of
25 local government to which the Agency has delegated its
26 functions pursuant to subsection (r) of Section 4 of this
27 Act, on the basis of direct observation, determine that any
28 person has violated any provision of subsection (o) or (p) of
29 Section 21 of this Act or subsection (C) of Section 10 of
30 this Act, the Agency or such unit of local government may
31 issue and serve an administrative citation upon such person
32 within not more than 60 days after the date of the observed
33 violation. Each such citation issued shall be served upon

1 the person named therein or such person's authorized agent
2 for service of process, and shall include the following
3 information:

4 (1) a statement specifying the provisions of
5 subsection (o) or (p) of Section 21 or subsection (C) of
6 Section 10 of which the person was observed to be in
7 violation;

8 (2) a copy of the inspection report in which the
9 Agency or local government recorded the violation, which
10 report shall include the date and time of inspection, and
11 weather conditions prevailing during the inspection;

12 (3) the penalty imposed by ~~subdivision-(b)(4)-or~~
13 ~~(b)(4-5)-of~~ Section 42 for such violation;

14 (4) instructions for contesting the administrative
15 citation findings pursuant to this Section, including
16 notification that the person has 35 days within which to
17 file a petition for review before the Board to contest
18 the administrative citation; and

19 (5) an affidavit by the personnel observing the
20 violation, attesting to their material actions and
21 observations.

22 (c) The Agency or unit of local government shall file a
23 copy of each administrative citation served under subsection
24 (b) of this Section with the Board no later than 10 days
25 after the date of service.

26 (d) (1) If the person named in the administrative
27 citation fails to petition the Board for review within 35
28 days from the date of service, the Board shall adopt a final
29 order, which shall include the administrative citation and
30 findings of violation as alleged in the citation, and shall
31 impose the penalty specified in ~~subdivision--(b)(4)---or~~
32 ~~(b)(4-5)-of~~ Section 42.

33 (2) If a petition for review is filed before the Board
34 to contest an administrative citation issued under subsection

1 (b) of this Section, the Agency or unit of local government
2 shall appear as a complainant at a hearing before the Board
3 to be conducted pursuant to Section 32 of this Act at a time
4 not less than 21 days after notice of such hearing has been
5 sent by the Board to the Agency or unit of local government
6 and the person named in the citation. In such hearings, the
7 burden of proof shall be on the Agency or unit of local
8 government. If, based on the record, the Board finds that
9 the alleged violation occurred, it shall adopt a final order
10 which shall include the administrative citation and findings
11 of violation as alleged in the citation, and shall impose the
12 penalty specified in ~~subdivision (b)(4) or (b)(4-5) of~~
13 Section 42. However, if the Board finds that the person
14 appealing the citation has shown that the violation resulted
15 from uncontrollable circumstances, the Board shall adopt a
16 final order which makes no finding of violation and which
17 imposes no penalty.

18 (e) Sections 10-25 through 10-60 of the Illinois
19 Administrative Procedure Act shall not apply to any
20 administrative citation issued under subsection (b) of this
21 Section.

22 (f) The other provisions of this Section shall not apply
23 to a sanitary landfill operated by a unit of local government
24 solely for the purpose of disposing of water and sewage
25 treatment plant sludges, including necessary stabilizing
26 materials.

27 (g) All final orders issued and entered by the Board
28 pursuant to this Section shall be enforceable by injunction,
29 mandamus or other appropriate remedy, in accordance with
30 Section 42 of this Act.

31 (Source: P.A. 92-16, eff. 6-28-01.)

32 (415 ILCS 5/42) (from Ch. 111 1/2, par. 1042)
33 Sec. 42. Civil penalties.

1 (a) Except as provided in this Section, any person that
2 violates any provision of this Act or any regulation adopted
3 by the Board, or any permit or term or condition thereof, or
4 that violates any determination or order of the Board
5 pursuant to this Act, shall be liable to a civil penalty of
6 not to exceed \$50,000 for the violation and an additional
7 civil penalty of not to exceed \$10,000 for each day during
8 which the violation continues; such penalties may, upon order
9 of the Board or a court of competent jurisdiction, be made
10 payable to the Environmental Protection Trust Fund, to be
11 used in accordance with the provisions of the Environmental
12 Protection Trust Fund Act.

13 (b) Notwithstanding the provisions of subsection (a) of
14 this Section:

15 (1) Any person that violates Section 12(f) of this
16 Act or any NPDES permit or term or condition thereof, or
17 any filing requirement, regulation or order relating to
18 the NPDES permit program, shall be liable to a civil
19 penalty of not to exceed \$10,000 per day of violation.

20 (2) Any person that violates Section 12(g) of this
21 Act or any UIC permit or term or condition thereof, or
22 any filing requirement, regulation or order relating to
23 the State UIC program for all wells, except Class II
24 wells as defined by the Board under this Act, shall be
25 liable to a civil penalty not to exceed \$2,500 per day of
26 violation; provided, however, that any person who commits
27 such violations relating to the State UIC program for
28 Class II wells, as defined by the Board under this Act,
29 shall be liable to a civil penalty of not to exceed
30 \$10,000 for the violation and an additional civil penalty
31 of not to exceed \$1,000 for each day during which the
32 violation continues.

33 (3) Any person that violates Sections 21(f), 21(g),
34 21(h) or 21(i) of this Act, or any RCRA permit or term or

1 condition thereof, or any filing requirement, regulation
2 or order relating to the State RCRA program, shall be
3 liable to a civil penalty of not to exceed \$25,000 per
4 day of violation.

5 (4) In an administrative citation action under
6 Section 31.1 of this Act, any person found to have
7 violated any provision of subsection (o) of Section 21 of
8 this Act shall pay a civil penalty of \$500 for each
9 violation of each such provision, plus any hearing costs
10 incurred by the Board and the Agency. Such penalties
11 shall be made payable to the Environmental Protection
12 Trust Fund, to be used in accordance with the provisions
13 of the Environmental Protection Trust Fund Act; except
14 that if a unit of local government issued the
15 administrative citation, 50% of the civil penalty shall
16 be payable to the unit of local government.

17 (4.1) ~~(4-5)~~ In an administrative citation action
18 under Section 31.1 of this Act, any person found to have
19 violated any provision of subsection (p) of Section 21 of
20 this Act shall pay a civil penalty of \$1,500 for a first
21 offense and \$3,000 for a second or subsequent offense,
22 plus any hearing costs incurred by the Board and the
23 Agency. The penalties shall be deposited into the
24 Environmental Protection Trust Fund, to be used in
25 accordance with the provisions of the Environmental
26 Protection Trust Fund Act; except that if a unit of local
27 government issued the administrative citation, 50% of the
28 civil penalty shall be payable to the unit of local
29 government.

30 (4.2) In an administrative citation action under
31 Section 31.1 of this Act, a person found to have violated
32 a provision of subsection (C) of Section 10 of this Act
33 or a rule adopted under that subsection shall pay a civil
34 penalty of \$100 for a first violation, \$250 for a second

1 violation, and \$500 for a third or subsequent violation,
2 plus any hearing costs incurred by the Board and the
3 Agency. Such penalties shall be made payable to the
4 Environmental Protection Trust Fund, to be used in
5 accordance with the provisions of the Environmental
6 Protection Trust Fund Act; except that if a unit of local
7 government issued the administrative citation, 50% of the
8 civil penalty shall be payable to the unit of local
9 government. The civil penalty imposed by this item (4.2)
10 is in addition to any other penalty provided by law.

11 (5) Any person who violates subsection 6 of Section
12 39.5 of this Act or any CAAPP permit, or term or
13 condition thereof, or any fee or filing requirement, or
14 any duty to allow or carry out inspection, entry or
15 monitoring activities, or any regulation or order
16 relating to the CAAPP shall be liable for a civil penalty
17 not to exceed \$10,000 per day of violation.

18 (6) A person who violates subsection (C) of Section
19 10 of this Act or a rule adopted by the Board under that
20 subsection shall pay a civil penalty of \$100 for a first
21 violation, \$250 for a second violation, and \$500 for a
22 third or subsequent violation. Where such actions are
23 brought before the Board, penalties shall be payable to
24 the Environmental Protection Trust Fund, to be used in
25 accordance with the provisions of the Environmental
26 Protection Trust Fund Act. Where such actions are
27 brought before the circuit court, penalties shall be
28 payable to the county in which the violation occurred.

29 (b.5) In lieu of the penalties set forth in subsections
30 (a) and (b) of this Section, any person who fails to file, in
31 a timely manner, toxic chemical release forms with the Agency
32 pursuant to Section 25b-2 of this Act shall be liable for a
33 civil penalty of \$100 per day for each day the forms are
34 late, not to exceed a maximum total penalty of \$6,000. This

1 daily penalty shall begin accruing on the thirty-first day
2 after the date that the person receives the warning notice
3 issued by the Agency pursuant to Section 25b-6 of this Act;
4 and the penalty shall be paid to the Agency. The daily
5 accrual of penalties shall cease as of January 1 of the
6 following year. All penalties collected by the Agency
7 pursuant to this subsection shall be deposited into the
8 Environmental Protection Permit and Inspection Fund.

9 (c) Any person that violates this Act, or an order or
10 other determination of the Board under this Act and causes
11 the death of fish or aquatic life shall, in addition to the
12 other penalties provided by this Act, be liable to pay to the
13 State an additional sum for the reasonable value of the fish
14 or aquatic life destroyed. Any money so recovered shall be
15 placed in the Wildlife and Fish Fund in the State Treasury.

16 (d) The penalties provided for in this Section may be
17 recovered in a civil action.

18 (e) The State's Attorney of the county in which the
19 violation occurred, or the Attorney General, may, at the
20 request of the Agency or on his own motion, institute a civil
21 action for an injunction to restrain violations of this Act.

22 (f) The State's Attorney of the county in which the
23 violation occurred, or the Attorney General, shall bring such
24 actions in the name of the people of the State of Illinois.
25 Without limiting any other authority which may exist for the
26 awarding of attorney's fees and costs, the Board or a court
27 of competent jurisdiction may award costs and reasonable
28 attorney's fees, including the reasonable costs of expert
29 witnesses and consultants, to the State's Attorney or the
30 Attorney General in a case where he has prevailed against a
31 person who has committed a wilful, knowing or repeated
32 violation of the Act.

33 Any funds collected under this subsection (f) in which
34 the Attorney General has prevailed shall be deposited in the

1 Hazardous Waste Fund created in Section 22.2 of this Act. Any
2 funds collected under this subsection (f) in which a State's
3 Attorney has prevailed shall be retained by the county in
4 which he serves.

5 (g) All final orders imposing civil penalties pursuant
6 to this Section shall prescribe the time for payment of such
7 penalties. If any such penalty is not paid within the time
8 prescribed, interest on such penalty at the rate set forth in
9 subsection (a) of Section 1003 of the Illinois Income Tax
10 Act, shall be paid for the period from the date payment is
11 due until the date payment is received. However, if the time
12 for payment is stayed during the pendency of an appeal,
13 interest shall not accrue during such stay.

14 (h) In determining the appropriate civil penalty to be
15 imposed under subdivisions (a), (b)(1), (b)(2), (b)(3), or
16 (b)(5) of this Section, the Board is authorized to consider
17 any matters of record in mitigation or aggravation of
18 penalty, including but not limited to the following factors:

- 19 (1) the duration and gravity of the violation;
- 20 (2) the presence or absence of due diligence on the
21 part of the violator in attempting to comply with
22 requirements of this Act and regulations thereunder or to
23 secure relief therefrom as provided by this Act;
- 24 (3) any economic benefits accrued by the violator
25 because of delay in compliance with requirements;
- 26 (4) the amount of monetary penalty which will serve
27 to deter further violations by the violator and to
28 otherwise aid in enhancing voluntary compliance with this
29 Act by the violator and other persons similarly subject
30 to the Act; and
- 31 (5) the number, proximity in time, and gravity of
32 previously adjudicated violations of this Act by the
33 violator.

34 (Source: P.A. 90-773, eff. 8-14-98; 91-82, eff. 1-1-00.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.