

# HB0277



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB0277

Introduced 1/19/2007, by Rep. Thomas Holbrook

#### SYNOPSIS AS INTRODUCED:

415 ILCS 5/57.8a new

Amends the Environmental Protection Act. Provides that if the Environmental Protection Agency has formed a priority list for payment out of the Underground Storage Tank Fund, an owner or operator on the priority list may assign to a person that is in the business of receiving assignments of payments from the Fund the full approved payment amount on the list for which the owner or operator is awaiting payment. Provides that the Agency shall prescribe forms for such an assignment. Provides specific limitations on the assignment. Effective immediately.

LRB095 04509 CMK 24562 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 Environmental Protection Act is amended by  
5 adding Section 57.8a as follows:

6 (415 ILCS 5/57.8a new)

7 Sec. 57.8a. Assignment of payments from the Underground  
8 Storage Tank Fund.

9 (a) If the Agency has formed a priority list for payment  
10 under Section 57.8(a)(3) of this Act, an owner or operator on  
11 the priority list may assign to a person that is in the  
12 business of receiving assignments of payments from the Fund the  
13 full approved payment amount on the list for which the owner or  
14 operator is awaiting payment. The assignment must be made on  
15 forms prescribed by the Agency. No assignment under this  
16 Section prevents or affects the right of the State Comptroller  
17 to make the deductions and off-sets provided in Section 10.05  
18 of the State Comptroller Act.

19 (b) An assignee has no right of appeal relating to the  
20 assigned payment.

21 (c) An owner's or operator's assignment under this Section  
22 is irrevocable and may be made to only one assignee. The State  
23 shall pay the assigned amount to this one assignee only and

1 shall not pay the assigned amount to any subsequent assignee of  
2 the one assignee.

3 (d) The State and its officers and employees are discharged  
4 of all liability upon payment of the assigned amount to the  
5 assignee. The assignor and assignee shall hold harmless and  
6 indemnify the State and its officers and employees from all  
7 claims, actions, suits, complaints, and liabilities related to  
8 the assignment.

9 (e) Costs associated with the assignment of a payment under  
10 this Section are not eligible for payment from the Fund.

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.