



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB0402

Introduced 2/3/2009, by Rep. Michael W. Tryon

#### SYNOPSIS AS INTRODUCED:

225 ILCS 225/4

from Ch. 111 1/2, par. 116.304

30 ILCS 105/5.719 new

Amends the Private Sewage Disposal Licensing Act. Provides that all fees collected under the Act must be deposited into the Private Sewage Disposal Program Fund. Amends the State Finance Act. Provides that the Private Sewage Disposal Program Fund is listed among the special funds. Effective immediately.

LRB096 07520 ASK 17615 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning professional regulation.

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 5.719 as follows:

6 (30 ILCS 105/5.719 new)

7 Sec. 5.719. The Private Sewage Disposal Program Fund.

8 Section 10. The Private Sewage Disposal Licensing Act is  
9 amended by changing Section 4 as follows:

10 (225 ILCS 225/4) (from Ch. 111 1/2, par. 116.304)

11 Sec. 4. (a) After January 1, 1974, no person or private  
12 sewage disposal system contractor may construct, install,  
13 modify, repair, maintain, or service a private sewage disposal  
14 system or transport and dispose of waste removed therefrom, in  
15 such a manner that does not comply with the requirements of  
16 this Act and the private sewage disposal code promulgated  
17 hereunder by the Department. A person who owns and occupies a  
18 single family dwelling and who constructs, installs,  
19 maintains, services or cleans the private sewage disposal  
20 system which serves his single family residence shall not be  
21 required to be licensed under this Act, however, such person

1 shall comply with all other provisions of this Act and the  
2 private sewage disposal code promulgated hereunder by the  
3 Department.

4 Any person who constructs, installs, repairs, modifies, or  
5 maintains a private sewage disposal system, other than a system  
6 which serves his own single family residence, shall be licensed  
7 by the Department as a Private Sewage System Installation  
8 Contractor and any person who cleans or pumps waste from a  
9 private sewage disposal system, other than a system which  
10 serves his own single family residence, or hauls or disposes of  
11 wastes removed therefrom shall be licensed by the Department as  
12 a Private Sewage Disposal System Pumping Contractor in  
13 accordance with this Act.

14 (b) No new private sewage disposal system shall be  
15 installed by any person until drawings, specifications and  
16 other information requested by the Department are submitted to  
17 and reviewed by the Department and found to comply with the  
18 private sewage disposal code, and until approval for the  
19 installation of such system is issued by the Department.

20 (c) The licensing requirements of this Act shall not apply  
21 to any person who cleans or pumps, hauls or disposes of waste  
22 from chemical toilets located in an underground coal mine. This  
23 waste shall be (i) transported to and disposed of at a sewage  
24 treatment facility permitted by the Illinois Environmental  
25 Protection Agency and located on the mine property, or (ii)  
26 stored on-site in a sanitary manner pending removal and

1 subsequent disposal by a licensed private sewage disposal  
2 pumping contractor.

3 (d) There is hereby created in the State treasury a special  
4 fund to be known as the Private Sewage Disposal Program Fund.  
5 All fees collected by the Department for exams, licenses,  
6 permits, and fines in accordance with this Act shall be  
7 deposited into the Fund and shall be appropriated by the  
8 General Assembly to the Department. Gifts, grants and other  
9 monies from any source available for this purpose may be  
10 deposited into the Fund. Subject to appropriation, money from  
11 this Fund shall be used by the Department to administer this  
12 Act, including establishing and maintaining a tracking program  
13 for private sewage disposal systems and maintenance  
14 requirements for these systems and supporting private sewage  
15 disposal education and training. Interest attributable to  
16 monies in this Fund shall be returned to the Fund. Monies in  
17 the Fund shall be appropriated and used only for the purposes  
18 stated in this Act.

19 (Source: P.A. 86-1195.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.