

1 AN ACT concerning finance.

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 Section 57.11 as follows:

6 (415 ILCS 5/57.11)

7 Sec. 57.11. Underground Storage Tank Fund; creation.

8 (a) There is hereby created in the State Treasury a special
9 fund to be known as the Underground Storage Tank Fund. There
10 shall be deposited into the Underground Storage Tank Fund all
11 monies received by the Office of the State Fire Marshal as fees
12 for underground storage tanks under Sections 4 and 5 of the
13 Gasoline Storage Act and as fees pursuant to the Motor Fuel Tax
14 Law. All amounts held in the Underground Storage Tank Fund
15 shall be invested at interest by the State Treasurer. All
16 income earned from the investments shall be deposited into the
17 Underground Storage Tank Fund no less frequently than
18 quarterly. Moneys in the Underground Storage Tank Fund,
19 pursuant to appropriation, may be used by the Agency and the
20 Office of the State Fire Marshal for the following purposes:

21 (1) To take action authorized under Section 57.12 to
22 recover costs under Section 57.12.

23 (2) To assist in the reduction and mitigation of damage

1 caused by leaks from underground storage tanks, including
2 but not limited to, providing alternative water supplies to
3 persons whose drinking water has become contaminated as a
4 result of those leaks.

5 (3) To be used as a matching amount towards federal
6 assistance relative to the release of petroleum from
7 underground storage tanks.

8 (4) For the costs of administering activities of the
9 Agency and the Office of the State Fire Marshal relative to
10 the Underground Storage Tank Fund.

11 (5) For payment of costs of corrective action incurred
12 by and indemnification to operators of underground storage
13 tanks as provided in this Title.

14 (6) For a total of 2 demonstration projects in amounts
15 in excess of a \$10,000 deductible charge designed to assess
16 the viability of corrective action projects at sites which
17 have experienced contamination from petroleum releases.
18 Such demonstration projects shall be conducted in
19 accordance with the provision of this Title.

20 (7) Subject to appropriation, moneys in the
21 Underground Storage Tank Fund may also be used by the
22 Department of Revenue for the costs of administering its
23 activities relative to the Fund and for refunds provided
24 for in Section 13a.8 of the Motor Fuel Tax Act.

25 (b) Moneys in the Underground Storage Tank Fund may,
26 pursuant to appropriation, be used by the Office of the State

1 Fire Marshal or the Agency to take whatever emergency action is
2 necessary or appropriate to assure that the public health or
3 safety is not threatened whenever there is a release or
4 substantial threat of a release of petroleum from an
5 underground storage tank and for the costs of administering its
6 activities relative to the Underground Storage Tank Fund.

7 (c) Beginning July 1, 1993, the Governor shall certify to
8 the State Comptroller and State Treasurer the monthly amount
9 necessary to pay debt service on State obligations issued
10 pursuant to Section 6 of the General Obligation Bond Act. On
11 the last day of each month, the Comptroller shall order
12 transferred and the Treasurer shall transfer from the
13 Underground Storage Tank Fund to the General Obligation Bond
14 Retirement and Interest Fund the amount certified by the
15 Governor, plus any cumulative deficiency in those transfers for
16 prior months.

17 (d) Except as provided in subsection (c) of this Section,
18 the Underground Storage Tank Fund is not subject to
19 administrative charges authorized under Section 8h of the State
20 Finance Act that would in any way transfer any funds from the
21 Underground Storage Tank Fund into any other fund of the State.

22 (Source: P.A. 90-491, eff. 1-1-98.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.