



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5180

Introduced 2/1/2010, by Rep. Dave Winters

SYNOPSIS AS INTRODUCED:

New Act

Creates the Climate Accountability Act. Requires State agencies to provide certain information before making an expenditure intended to reduce greenhouse gas emissions. Requires the Department of Commerce and Economic Opportunity to regularly conduct audits to ensure that climate expenditure contractors are meeting certain standards. Provides penalties that may be imposed against contractors if those standards are not met. Requires State agencies managing climate expenditure contracts to regularly report certain information to the General Assembly. Suspends funding for climate expenditures if certain requirements are not met. Defines "climate expenditure", "CO₂e", "certified carbon offsets", and "State agency".

LRB096 17947 JDS 33315 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 1. Short title. This Act shall be known and may be
5 cited as the Climate Accountability Act.

6 Section 5. Legislative intent. The General Assembly finds
7 that in order to improve efficiency and the use of scarce
8 resources, the State must receive the greatest return on the
9 environmental investments it makes. Projects that do not return
10 the expected environmental benefits not only waste the funds
11 given to the project, but also prevent funding from being
12 available for projects that would have a positive environmental
13 impact.

14 The General Assembly additionally finds that reliable
15 information and accountability are critical to ensuring that
16 environmental projects are effective. By setting clear goals,
17 the State can determine what projects best promote
18 environmental sustainability, and it can hold contractors and
19 State agencies accountable if those goals are not met. The
20 General Assembly believes that by promoting climate
21 accountability, the State can make the most of its resources in
22 the effort to reduce greenhouse gas emissions and promote
23 energy efficiency.

1 Section 10. Definitions.

2 (a) "Climate expenditure" means any State expenditure
3 designed to reduce greenhouse gas emissions.

4 (b) "CO₂e" means carbon dioxide equivalent calculated as
5 greenhouse gases normalized to metric tons of carbon dioxide.

6 (c) "Certified carbon offsets" means carbon credits
7 certified to meet the United Nation's Clean Development
8 Mechanism (CDM).

9 (d) "State agency" means that term as defined in the
10 Illinois State Auditing Act.

11 Section 15. Assessment of climate priorities.

12 (a) Any State agency that makes a climate expenditure must,
13 prior to implementation, provide the following information:

14 (1) the number of tons of CO₂e reduced by the climate
15 expenditure;

16 (2) the total cost of climate expenditure; and

17 (3) the cost per ton of CO₂e reduction.

18 (b) Any State contracts required to implement a climate
19 expenditure must include, in the performance portion of the
20 contract, information concerning the cost per ton of CO₂e
21 reduction.

22 Section 20. Climate accountability.

23 (a) The Department of Commerce and Economic Opportunity

1 shall regularly conduct audits to ensure that climate
2 expenditure contractors are meeting performance standards for
3 cost per ton of CO₂e. If contractors with whom State agencies
4 are contracting are not in compliance, the contractors shall
5 (i) provide certified carbon offsets equivalent to the
6 difference between actual emissions reductions and contracted
7 emissions reductions or (ii) refund a portion of the contract
8 funds until the cost per ton of CO₂e reduction meets the
9 benchmark included in the contract.

10 (b) State agencies managing climate expenditure contracts
11 shall regularly provide reports to the General Assembly
12 outlining the performance of those individual contracts,
13 including:

- 14 (1) the total tons of CO₂e reduced;
- 15 (2) the total contract amount; and
- 16 (3) the cost per ton of CO₂e reduced.

17 (c) State agencies that fail to complete audits and report
18 to the General Assembly shall have all funding for all climate
19 expenditures suspended until they meet the requirements of this
20 Act.