

1 AN ACT concerning revenue.

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

4 Section 5. The Drycleaner Environmental Response Trust  
5 Fund Act is amended by changing Section 60 as follows:

6 (415 ILCS 135/60)

7 (Section scheduled to be repealed on January 1, 2020)

8 Sec. 60. Drycleaning facility license.

9 (a) On and after January 1, 1998, no person shall operate a  
10 drycleaning facility in this State without a license issued by  
11 the Council.

12 (b) The Council shall issue an initial or renewal license  
13 to a drycleaning facility on submission by an applicant of a  
14 completed form prescribed by the Council, proof of payment of  
15 the required fee to the Department of Revenue, and, if the  
16 drycleaning facility has previously received or is currently  
17 receiving reimbursement for the costs of a remedial action, as  
18 defined in this Act, proof of compliance with subsection (j) of  
19 Section 40.

20 (c) On or after January 1, 2004, the annual fees for  
21 licensure are as follows:

22 (1) \$500 for a facility that uses (i) 50 gallons or  
23 less of chlorine-based or green drycleaning solvents

1           annually, (ii) 250 or less gallons annually of  
2           hydrocarbon-based drycleaning solvents in a drycleaning  
3           machine equipped with a solvent reclaimer, or (iii) 500  
4           gallons or less annually of hydrocarbon-based drycleaning  
5           solvents in a drycleaning machine without a solvent  
6           reclaimer.

7           (2) \$500 for a facility that uses (i) more than 50  
8           gallons but not more than 100 gallons of chlorine-based or  
9           green drycleaning solvents annually, (ii) more than 250  
10          gallons but not more 500 gallons annually of  
11          hydrocarbon-based solvents in a drycleaning machine  
12          equipped with a solvent reclaimer, or (iii) more than 500  
13          gallons but not more than 1,000 gallons annually of  
14          hydrocarbon-based drycleaning solvents in a drycleaning  
15          machine without a solvent reclaimer.

16          (3) \$500 for a facility that uses (i) more than 100  
17          gallons but not more than 150 gallons of chlorine-based or  
18          green drycleaning solvents annually, (ii) more than 500  
19          gallons but not more than 750 gallons annually of  
20          hydrocarbon-based solvents in a drycleaning machine  
21          equipped with a solvent reclaimer, or (iii) more than 1,000  
22          gallons but not more than 1,500 gallons annually of  
23          hydrocarbon-based drycleaning solvents in a drycleaning  
24          machine without a solvent reclaimer.

25          (4) \$1,000 for a facility that uses (i) more than 150  
26          gallons but not more than 200 gallons of chlorine-based or

1 green drycleaning solvents annually, (ii) more than 750  
2 gallons but not more than 1,000 gallons annually of  
3 hydrocarbon-based solvents in a drycleaning machine  
4 equipped with a solvent reclaimer, or (iii) more than 1,500  
5 gallons but not more than 2,000 gallons annually of  
6 hydrocarbon-based drycleaning solvents in a drycleaning  
7 machine without a solvent reclaimer.

8 (5) \$1,000 for a facility that uses (i) more than 200  
9 gallons but not more than 250 gallons of chlorine-based or  
10 green drycleaning solvents annually, (ii) more than 1,000  
11 gallons but not more than 1,250 gallons annually of  
12 hydrocarbon-based solvents in a drycleaning machine  
13 equipped with a solvent reclaimer, or (iii) more than 2,000  
14 gallons but not more than 2,500 gallons annually of  
15 hydrocarbon-based drycleaning solvents in a drycleaning  
16 machine without a solvent reclaimer.

17 (6) \$1,000 for a facility that uses (i) more than 250  
18 gallons but not more than 300 gallons of chlorine-based or  
19 green drycleaning solvents annually, (ii) more than 1,250  
20 gallons but not more than 1,500 gallons annually of  
21 hydrocarbon-based solvents in a drycleaning machine  
22 equipped with a solvent reclaimer, or (iii) more than 2,500  
23 gallons but not more than 3,000 gallons annually of  
24 hydrocarbon-based drycleaning solvents in a drycleaning  
25 machine without a solvent reclaimer.

26 (7) \$1,000 for a facility that uses (i) more than 300

1 gallons but not more than 350 gallons of chlorine-based or  
2 green drycleaning solvents annually, (ii) more than 1,500  
3 gallons but not more than 1,750 gallons annually of  
4 hydrocarbon-based solvents in a drycleaning machine  
5 equipped with a solvent reclaimer, or (iii) more than 3,000  
6 gallons but not more than 3,500 gallons annually of  
7 hydrocarbon-based drycleaning solvents in a drycleaning  
8 machine without a solvent reclaimer.

9 (8) \$1,500 for a facility that uses (i) more than 350  
10 gallons but not more than 400 gallons of chlorine-based or  
11 green drycleaning solvents annually, (ii) more than 1,750  
12 gallons but not more than 2,000 gallons annually of  
13 hydrocarbon-based solvents in a drycleaning machine  
14 equipped with a solvent reclaimer, or (iii) more than 3,500  
15 gallons but not more than 4,000 gallons annually of  
16 hydrocarbon-based drycleaning solvents in a drycleaning  
17 machine without a solvent reclaimer.

18 (9) \$1,500 for a facility that uses (i) more than 400  
19 gallons but not more than 450 gallons of chlorine-based or  
20 green drycleaning solvents annually, (ii) more than 2,000  
21 gallons but not more than 2,250 gallons annually of  
22 hydrocarbon-based solvents in a drycleaning machine  
23 equipped with a solvent reclaimer, or (iii) more than 4,000  
24 gallons but not more than 4,500 gallons annually of  
25 hydrocarbon-based drycleaning solvents in a drycleaning  
26 machine without a solvent reclaimer.

1           (10) \$1,500 for a facility that uses (i) more than 450  
2 gallons but not more than 500 gallons of chlorine-based or  
3 green drycleaning solvents annually, (ii) more than 2,250  
4 gallons but not more than 2,500 gallons annually of  
5 hydrocarbon-based solvents used in a drycleaning machine  
6 equipped with a solvent reclaimer, or (iii) more than 4,500  
7 gallons but not more than 5,000 gallons annually of  
8 hydrocarbon-based drycleaning solvents in a drycleaning  
9 machine without a solvent reclaimer.

10           (11) \$1,500 for a facility that uses (i) more than 500  
11 gallons but not more than 550 gallons of chlorine-based or  
12 green drycleaning solvents annually, (ii) more than 2,500  
13 gallons but not more than 2,750 gallons annually of  
14 hydrocarbon-based solvents in a drycleaning machine  
15 equipped with a solvent reclaimer, or (iii) more than 5,000  
16 gallons but not more than 5,500 gallons annually of  
17 hydrocarbon-based drycleaning solvents in a drycleaning  
18 machine without a solvent reclaimer.

19           (12) \$1,500 for a facility that uses (i) more than 550  
20 gallons but not more than 600 gallons of chlorine-based or  
21 green drycleaning solvents annually, (ii) more than 2,750  
22 gallons but not more than 3,000 gallons annually of  
23 hydrocarbon-based solvents in a drycleaning machine  
24 equipped with a solvent reclaimer, or (iii) more than 5,500  
25 gallons but not more than 6,000 gallons annually of  
26 hydrocarbon-based drycleaning solvents in a drycleaning

1 machine without a solvent reclaimer.

2 (13) \$1,500 for a facility that uses (i) more than 600  
3 gallons of chlorine-based or green drycleaning solvents  
4 annually, (ii) more than 3,000 gallons but not more than  
5 3,250 gallons annually of hydrocarbon-based solvents in a  
6 drycleaning machine equipped with a solvent reclaimer, or  
7 (iii) more than 6,000 gallons of hydrocarbon-based  
8 drycleaning solvents annually in a drycleaning machine  
9 equipped without a solvent reclaimer.

10 (14) \$1,500 for a facility that uses more than 3,250  
11 gallons but not more than 3,500 gallons annually of  
12 hydrocarbon-based solvents in a drycleaning machine  
13 equipped with a solvent reclaimer.

14 (15) \$1,500 for a facility that uses more than 3,500  
15 gallons but not more than 3,750 gallons annually of  
16 hydrocarbon-based solvents used in a drycleaning machine  
17 equipped with a solvent reclaimer.

18 (16) \$1,500 for a facility that uses more than 3,750  
19 gallons but not more than 4,000 gallons annually of  
20 hydrocarbon-based solvents in a drycleaning machine  
21 equipped with a solvent reclaimer.

22 (17) \$1,500 for a facility that uses more than 4,000  
23 gallons annually of hydrocarbon-based solvents in a  
24 drycleaning machine equipped with a solvent reclaimer.

25 For purpose of this subsection, the quantity of drycleaning  
26 solvents used annually shall be determined as follows:

1           (1) in the case of an initial applicant, the quantity  
2           of drycleaning solvents that the applicant estimates will  
3           be used during his or her initial license year. A fee  
4           assessed under this subdivision is subject to audited  
5           adjustment for that year; or

6           (2) in the case of a renewal applicant, the quantity of  
7           drycleaning solvents actually purchased in the preceding  
8           license year.

9           The Council may adjust licensing fees annually based on the  
10          published Consumer Price Index - All Urban Consumers ("CPI-U")  
11          or as otherwise determined by the Council.

12          (d) A license issued under this Section shall expire one  
13          year after the date of issuance and may be renewed on  
14          reapplication to the Council and submission of proof of payment  
15          of the appropriate fee to the Department of Revenue in  
16          accordance with subsections (c) and (e). At least 30 days  
17          before payment of a renewal licensing fee is due, the Council  
18          shall attempt to:

19                 (1) notify the operator of each licensed drycleaning  
20                 facility concerning the requirements of this Section; and

21                 (2) submit a license fee payment form to the licensed  
22                 operator of each drycleaning facility.

23          (e) An operator of a drycleaning facility shall submit the  
24          appropriate application form provided by the Council with the  
25          license fee in the form of cash, credit card, business check,  
26          or guaranteed remittance, ~~or credit card~~ to the Department of

1 Revenue. The Department may accept payment of the license fee  
2 under this Section by credit card only if the Department is not  
3 required to pay a discount fee charged by the credit card  
4 issuer. The license fee payment form and the actual license fee  
5 payment shall be administered by the Department of Revenue  
6 under rules adopted by that Department.

7 (f) The Department of Revenue shall issue a proof of  
8 payment receipt to each operator of a drycleaning facility who  
9 has paid the appropriate fee in cash or by guaranteed  
10 remittance, ~~or~~ credit card, or business check. However, the  
11 Department of Revenue shall not issue a proof of payment  
12 receipt to a drycleaning facility that is liable to the  
13 Department of Revenue for a tax imposed under this Act. The  
14 original receipt shall be presented to the Council by the  
15 operator of a drycleaning facility.

16 (g) (Blank).

17 (h) The Council and the Department of Revenue may adopt  
18 rules as necessary to administer the licensing requirements of  
19 this Act.

20 (Source: P.A. 96-774, eff. 1-1-10; 97-332, eff. 8-12-11;  
21 97-377, eff. 1-1-12; revised 10-4-11.)

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