

AN ACT concerning safety.

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

Section 5. The Environmental Protection Act is amended by adding Section 22.23e as follows:

(415 ILCS 5/22.23e new)

Sec. 22.23e. End-of-life electric vehicle and battery electric storage system batteries.

(a) In this Section:

"Battery energy storage solution facility" or "BESS" means a facility that stores and distributes energy in the form of electricity and that stores electricity using battery devices and other means. "Battery energy storage solution" or "BESS" includes any permanent structures associated with the battery energy storage facility and all associated transmission lines, substations, and other equipment related to the storage and transmission of electric power.

"Battery storage site" means a site where used batteries are stored.

"Electric vehicle" or "EV" has the same meaning as defined in Section 11-1308 of the Illinois Vehicle Code.

"Electric vehicle battery" or "EV battery" means a rechargeable battery that is used to power the electric motors

that propel an electric vehicle. "Electric vehicle battery" includes, but is not limited to, lithium-ion batteries and nickel-metal hydride batteries.

"Used battery" means an EV battery that is sold, given, or otherwise conveyed to a battery storage site.

"Storage" means any accumulation of used batteries that does not constitute disposal.

(b) No person shall cause or allow the operation of a battery storage site at which 5,000 kilograms or more of used batteries are stored at any one time unless:

(1) the battery storage site is registered with the Agency in accordance with this Section;

(2) the owner or operator of the battery storage site maintains records documenting the following:

(A) the weight or volume of whole or partial used batteries received at the battery storage site each week;

(B) the weight or volume of whole or partial used batteries leaving the battery storage site each week; and

(C) the weight or volume of whole or partial used batteries remaining at the battery storage site at the end of each week; and

(3) the owner or operator of the battery storage site is an automotive parts recycler as defined in Section 1-105.3 of the Illinois Vehicle Code and licensed under

Section 5-301 of the Illinois Vehicle Code.

The records required under this Section shall be made available for inspection and copying by the Agency during the normal business hours.

(c) The owner or operator of each battery storage site in operation prior to February 1, 2026, at which 5,000 kilograms or more of used batteries are stored at any one time, must register with the Agency prior to February 1, 2026 and each February 1 thereafter. Any owners or operators of a battery storage site that comes into operation after February 1, 2026 shall register with the Agency prior to commencing operation. Registration must be on forms and in a format prescribed by the Agency. Agency registration forms shall include, at a minimum, information regarding the following:

(1) the name and address of the owner and operator of the battery storage site;

(2) A description of the operations conducted at the battery storage site;

(3) the weight or volume of whole or partial used batteries received at the battery storage site over the past calendar year; and

(4) the weight or volume of whole or partial used batteries at the battery storage site at the end of the calendar year.

(d) No later than 1 year after the effective date of this amendatory Act, the Agency shall propose to the Board, and no

later than one year after receipt of the Agency's proposal, the Board shall adopt, rules for the operation of battery storage sites. Such rules shall include, but not be limited to: requirements for end-of-life battery receipt, handling, storage, and transfer; standards for fire prevention; requirements for contingency planning and emergency response; recordkeeping; reporting; and financial assurance.