



States' Biofuels Statutes

STATE OF ILLINOIS

This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [States' Biofuels Statutory Citations](#). These statutes are placed in reverse chronological order using the date of the most recent amendment to the statute. Many biofuels laws were enacted as amendments to previously passed laws.

Current through the 2013 Legislative Session of the Illinois General Assembly.

689/1. Short title

§ 1. Short title. This Act may be cited as the Illinois Renewable Fuels Development Program Act.

Credits: P.A. 93-15, § 1, eff. June 11, 2003.

689/5. Findings and State policy

§ 5. Findings and State policy. The General Assembly recognizes that agriculture is a vital sector of the Illinois economy and that an important growth industry for the Illinois agricultural sector is renewable fuels production. Renewable fuels produced from Illinois agricultural products hold great potential for growing the State's economy, reducing our dependence on foreign oil supplies, and improving the environment by reducing harmful emissions from vehicles. Illinois is the nation's leading producer of ethanol, a clean, renewable fuel with significant environmental benefits. The General Assembly finds that reliable supplies of renewable fuels will be integral to the long term energy security of the United States. The General Assembly declares that it is the public policy of the State of Illinois to promote and encourage the production and use of renewable fuels as a means not only to improve air quality in the State and the nation, but also to grow the agricultural sector of the Illinois economy. To achieve these public policy objectives, the General Assembly hereby authorizes the creation and implementation of the Illinois Renewable Fuels Development Program within the Department.

Credits: P.A. 93-15, § 5, eff. June 11, 2003.

689/10. Definitions

§ 10. Definitions. As used in this Act:

“Biodiesel” means a renewable diesel fuel derived from biomass that is intended for use in diesel engines.

“Biodiesel blend” means a blend of biodiesel with petroleum-based diesel fuel in which the resultant product contains no less than 1% and no more than 99% biodiesel.

“Biomass” means non-fossil organic materials that have an intrinsic chemical energy content. “Biomass” includes, but is not limited to, soybean oil, other vegetable oils, and ethanol.

“Department” means the Department of Commerce and Economic Opportunity.

“Diesel fuel” means any product intended for use or offered for sale as a fuel for engines in which the fuel is injected into the combustion chamber and ignited by pressure without electric spark.

“Director” means the Director of Commerce and Economic Opportunity.

“Ethanol” means a product produced from agricultural commodities or by-products used as a fuel or to be blended with other fuels for use in motor vehicles.

“Fuel” means fuel as defined in Section 1.19 of the Motor Fuel Tax Law.¹

“Gasohol” means motor fuel that is no more than 90% gasoline and at least 10% denatured ethanol that contains no more than 1.25% water by weight.

“Gasoline” means all products commonly or commercially known or sold as gasoline (including casing head and absorption or natural gasoline).

“Illinois agricultural product” means any agricultural commodity grown in Illinois that is used by a production facility to produce renewable fuel in Illinois, including, but not limited to, corn, barley, and soy beans.

“Labor Organization” means any organization defined as a “labor organization” under Section 2 of the National Labor Relations Act (29 U.S.C. 152).

“Majority blended ethanol fuel” means motor fuel that contains no less than 70% and no more than 90% denatured ethanol and no less than 10% and no more than 30% gasoline.

“Motor vehicles” means motor vehicles as defined in the Illinois Vehicle Code² and watercraft propelled by an internal combustion engine.

“Owner” means any individual, sole proprietorship, limited partnership, co-partnership, joint venture, corporation, cooperative, or other legal entity, including its agents, that operates or will operate a plant located within the State of Illinois.

“Plant” means a production facility that produces a renewable fuel. “Plant” includes land, any building or other improvement on or to land, and any personal properties deemed necessary or suitable for use,

whether or not now in existence, in the processing of fuel from agricultural commodities or by-products.

“Renewable fuel” means ethanol, gasohol, majority blended ethanol fuel, biodiesel blend fuel, and biodiesel.

Credits: P.A. 93-15, § 10, eff. June 11, 2003. Amended by P.A. 93-618, § 5, eff. Dec. 11, 2003; P.A. 94-793, § 160, eff. May 19, 2006.

689/15. Illinois Renewable Fuels Development Program

§ 15. Illinois Renewable Fuels Development Program.

(a) The Department must develop and administer the Illinois Renewable Fuels Development Program to assist in the construction, modification, alteration, or retrofitting of renewable fuel plants in Illinois. The recipient of a grant under this Section must:

- (1) be constructing, modifying, altering, or retrofitting a plant in the State of Illinois;
- (2) be constructing, modifying, altering, or retrofitting a plant that has annual production capacity of no less than 5,000,000 gallons of renewable fuel per year; and
- (3) enter into a project labor agreement as prescribed by Section 25 of this Act.

(b) Grant applications must be made on forms provided by and in accordance with procedures established by the Department.

(c) The Department must give preference to applicants that use Illinois agricultural products in the production of renewable fuel at the plant for which the grant is being requested.

Credits: P.A. 93-15, § 15, eff. June 11, 2003. Amended by P.A. 96-140, § 5, eff. Jan. 1, 2010.

689/20. Grants

§ 20. Grants. Subject to appropriation, the Director is authorized to award grants to eligible applicants. The annual aggregate amount of grants awarded shall not exceed \$20,000,000, except that this amount does not include amounts, up to \$4,000,000 per grant, that may be awarded to each eligible applicant who installs advanced technologies for water usage, carbon footprint reduction, and other blending improvements designed to optimize processes at the applicant’s renewable fuels facility.

Credits: P.A. 93-15, § 20, eff. June 11, 2003. Amended by P.A. 93-618, § 5, eff. Dec. 11, 2003; P.A. 94-839, Art. 5, § 5-20, eff. June 6, 2006; P.A. 96-173, § 5, eff. Aug. 10, 2009.

689/25. Project labor agreements

§ 25. Project labor agreements.

(a) The project labor agreement must include the following:

- (1) provisions establishing the minimum hourly wage for each class of labor organization employee;
- (2) provisions establishing the benefits and other compensation for each class of labor organization employee; and
- (3) provisions establishing that no strike or disputes will be engaged in by the labor organization employees.

The owner of the plant and the labor organizations shall have the authority to include other terms and conditions as they deem necessary.

(b) The project labor agreement shall be filed with the Director in accordance with procedures established by the Department. At a minimum, the project labor agreement must provide the names, addresses, and occupations of the owner of the plant and the individuals representing the labor organization employees participating in the project labor agreement. The agreement must also specify the terms and conditions required in subsection (a).

Credits: P.A. 93-15, § 25, eff. June 11, 2003.

689/30. Administration of the Act; rules

§ 30. Administration of the Act; rules. The Department shall administer this Act and shall adopt any rules necessary for that purpose.

Credits: P.A. 93-15, § 30, eff. June 11, 2003.

689/99. Effective date

§ 99. Effective date. This Act takes effect upon becoming law.

Credits: P.A. 93-15, § 99, eff. June 11, 2003.