

## SB2213 A1, A2 (Stratton)

# Protect Illinois From FEDERAL ROLLBACKS

### ACTION NEEDED: Co-Sponsor, Support



The environmental and safety regulations established are in place to keep people healthy and safe. Without them, we are going backwards.

### LEGISLATION SUMMARY:

Maintains existing environmental and worker protections in Illinois, so that if federal minimum standards are lowered, Illinois will not follow suit, but will remain as protective as on January 19, 2017, with a three-year sunset provision.

### OVERVIEW:

- » Illinois derives many of its current protections for air, water, wildlife, workers' rights and worker safety from federal statutes and regulations, which set minimum standards that states may meet or exceed.
- » The current President, his administration and the Congressional leaders have indicated an intent to weaken, repeal, or restrict the implementation of a wide range of environmental, health, and safety laws and regulations.
- » Such federal actions would open the door to lowering the environmental and labor standards that currently protect the people of Illinois.
- » The Illinois Baseline Protection Act (SB2213) would preserve Illinois' current safeguards at this time of great uncertainty at the federal level.

### BACKGROUND:

SB2213 would prevent state and local agencies from weakening Illinois environmental or labor standards below the federal standards in place as of January 1, 2017, or "baseline standards" for the following federal statutes:

#### Environment

- Clean Air Act
- Clean Water Act
- Safe Drinking Water Act
- Endangered Species Act

#### Labor

- Occupational Safety and Health Act
- Mine Safety and Health Act
- Federal Labor Standards Act

### How does the bill maintain state control of protections?

SB2213 would maintain existing environmental and worker protections in Illinois pursuant to these federal laws, so that if federal minimum standards under any of these statutes are lowered, Illinois will not follow suit, but remain as protective as on January 19, 2017.

SB2213 does not restrict the ability of any state agency to improve a standard or protection, or to make any change that would have been permissible on January 19, 2017.

SB 2213 does not create a single new regulation, standard, or rule. SB 2213 does not create any uncertainty or burden for businesses, but only continues the status quo. What SB2213 does do is make sure that our people, our communities, and our environment in Illinois are as protected as they can be from the major steps backward being taken or planned by the Trump administration.

## AMENDMENTS

**Senate Amendment 1** reflects input from the Illinois Attorney General to clarify certain provisions and narrow the scope of the bill, including:

- Adds a sunset provision, which repeals the Act 3 years from the effective date. This clarifies the intent of the bill to apply only for the historically unpredictable time that we are in, and to protect our current labor and environmental standards from suddenly dropping as a result of changes made in Washington.
- Removes all citizen suit provisions
- Resolves potential conflicts with language in existing statutes that requires or prefers consistency with federal standards in some cases
- Clarifies the seven baseline federal labor and environmental laws, and the implementing regulations for those seven laws, covered by the bill (Previously the bill also included “other federal laws” related to labor and environmental topics, and “authorizations, policies, objectives, rules, requirements and standards.”)
- Clarifies that the bill applies to state agencies implementing federal labor or environmental standards
- Eases Agency reporting requirements by asking them to report annually, rather than every 6 months, on activity under this Act, and to allow for that reporting to be done electronically

**Senate Amendment 2** is purely technical in nature and corrects some citations and grammatical errors.

**SB2213 would preserve Illinois' current safeguards at this time of great uncertainty at the federal level.**