



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1675

Introduced 2/15/2019, by Sen. Thomas Cullerton

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-13-28 new

Amends the Zoning Division of the Illinois Municipal Code. Provides that a municipality may not restrict residents from constructing a season extension or crop protection device from each October 1 through April 15. Provides that "season extension or crop protection device" means a temporary structure that meets the following specifications: (1) the structure is used for growing agricultural products for personal consumption on private property; (2) the structure is wholly on the owner's property; (3) it is a skeletal structure comprised of materials that are easily constructed and easily deconstructed; and (4) the walls of the structure are comprised of plastic membranes or firm translucent material. Limits home rule powers. Effective immediately.

LRB101 09069 AWJ 54162 b

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Municipal Code is amended by adding
5 Section 11-13-28 as follows:

6 (65 ILCS 5/11-13-28 new)

7 Sec. 11-13-28. Season extension; crop protection device.

8 (a) As used in this Section, "season extension or crop
9 protection device" means a temporary structure that meets the
10 following specifications:

11 (1) The structure is used for growing agricultural
12 products for personal consumption on private property.

13 (2) The structure is wholly on the owner's property.

14 (3) It is a skeletal structure comprised of materials
15 that are easily constructed and easily deconstructed.

16 (4) The walls of the structure are comprised of plastic
17 membranes or firm translucent material.

18 (b) A municipality may not restrict residents from
19 constructing a season extension or crop protection device from
20 each October 1 through April 15.

21 (c) A home rule municipality may not restrict residents
22 from constructing a season extension or crop protection device
23 in a manner inconsistent with this Section. This Section is a

1 limitation under subsection (i) of Section 6 of Article VII of
2 the Illinois Constitution on the concurrent exercise by home
3 rule units of powers and functions exercised by the State

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.