

1 AN ACT concerning State government.

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

4 Section 5. The Capital Development Board Act is amended by
5 adding Section 10.20 as follows:

6 (20 ILCS 3105/10.20 new)

7 Sec. 10.20. Local regulation of State facilities.

8 (a) Notwithstanding any other provision of law, no
9 ordinance of a unit of local government shall be enforced
10 against the construction, reconstruction, improvement, or
11 installation of a State facility. A unit of local government
12 shall not require payment of permitting fees or require permit
13 inspections for the construction, reconstruction, improvement,
14 or installation of any State facility.

15 (b) The Board shall, to the fullest extent practicable,
16 coordinate with local utilities regarding utility connection
17 requirements and procedures.

18 (c) Before undertaking any activity involving the
19 construction, reconstruction, improvement, or installation of
20 any State facility, the Board shall, to the fullest extent
21 practicable, coordinate and consult with the units of local
22 government that are responsible for providing fire protection
23 services to that State facility in order to ensure that fire

1 protection services can be provided by the unit of local
2 government to the State facility in the most effective manner.

3 (d) Nothing in this Section shall relieve the Board from
4 compliance with any State or federal mandate. This Section
5 does not relieve the Board from the obligation to compensate
6 units of local governments for fair and reasonable connection
7 or impact costs that (i) conform to industry standards or (ii)
8 are consistent with similar costs that are applied to private,
9 non-governmental capital projects.

10 (e) This Section applies to the construction,
11 reconstruction, improvement and installation of State
12 facilities that is ongoing on the effective date of this
13 amendatory Act of the 103rd General Assembly and to all
14 projects that begin on or after the effective date of this
15 amendatory Act of the 103rd General Assembly.

16 (f) A home rule unit may not regulate the construction,
17 reconstruction, improvement, or installation of a State
18 facility in a manner that is inconsistent with this Section.
19 This Section is a limitation under subsection (i) of Section 6
20 of Article VII of the Illinois Constitution on the concurrent
21 exercise by home rule units of powers and functions exercised
22 by the State.

23 (g) As used in this Section:

24 "Fair and reasonable connection or impact costs" means
25 demonstrated costs incurred by the unit of local government
26 that directly result from the Board's use of or impact on local

1 infrastructure.

2 "State facility" means any capital project under the

3 authority of the Capital Development Board.