

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 Counties Code is amended by changing Section
5 5-25008 as follows:

6 (55 ILCS 5/5-25008) (from Ch. 34, par. 5-25008)

7 Sec. 5-25008. Jurisdiction of department. Each county and
8 multiple-county health department has jurisdiction for the
9 purposes of this Division throughout the entire county or
10 multiple counties, except within:

11 1. Any public health district organized under "An Act
12 to authorize the organization of public health districts
13 and for the establishment and maintenance of a health
14 department for the same," filed June 26, 1917, as amended;

15 2. Any city, village or incorporated town or
16 combination thereof of less than 500,000 inhabitants which
17 city, village, incorporated town or combination thereof or
18 public health district maintains a local health department
19 and employs a full-time health officer and other
20 professional personnel possessing such qualifications as
21 may be prescribed by the State Department of Public Health;

22 3. Any city, village or incorporated town of 500,000 or
23 more inhabitants.

1 In addition, a county or multiple-county health department
2 does not have jurisdiction over private residential leaseholds
3 unless it regulates private single-family residential property
4 in a similar manner. As used in this Section, "private
5 residential leasehold" means a private residential structure
6 not open to the public which is leased to more than one person
7 and contains a communal kitchen used by the lessees and guests
8 of the lessees. A home rule county may not regulate private
9 residential leaseholds in a manner inconsistent with this
10 paragraph. This paragraph is a limitation under subsection (i)
11 of Section 6 of Article VII of the Illinois Constitution on the
12 concurrent exercise by home rule counties of powers and
13 functions exercised by the State. This paragraph does not apply
14 to regulation of private residential leaseholds in
15 municipalities with a population greater than 1,000,000.

16 (Source: P.A. 86-962.)

17 Section 10. The Public Health District Act is amended by
18 adding Section 15.5 as follows:

19 (70 ILCS 905/15.5 new)

20 Sec. 15.5. Private residential leaseholds. A board of
21 health, and its medical health officer or administrator, may
22 not regulate private residential leaseholds unless it
23 regulates private single-family residential property in a
24 similar manner. As used in this Section, "private residential

1 leasehold" means a private residential structure not open to
2 the public which is leased to more than one person and contains
3 a communal kitchen used by the lessees and guests of the
4 lessees. This Section does not apply to regulation of private
5 residential leaseholds in municipalities with a population
6 greater than 1,000,000.

7 Section 15. The Food Handling Regulation Enforcement Act is
8 amended by adding Section 3.7 as follows:

9 (410 ILCS 625/3.7 new)

10 Sec. 3.7. Private residential leaseholds.

11 (a) As used in this Section, "private residential
12 leasehold" means a private residential structure not open to
13 the public which is leased to more than one person and contains
14 a communal kitchen used by the lessees and guests of the
15 lessees.

16 (b) Notwithstanding any other provision of law, the
17 Department of Public Health and the health department of a unit
18 of local government may not regulate private residential
19 leaseholds unless it regulates private single-family
20 residential property in a similar manner.

21 (c) This Section does not apply to regulation of private
22 residential leaseholds in municipalities with a population
23 greater than 1,000,000.