



Sen. Melinda Bush

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10100HB0925sam003

LRB101 05874 HLH 60874 a

1 AMENDMENT TO HOUSE BILL 925

2 AMENDMENT NO. _____. Amend House Bill 925, AS AMENDED, by
3 inserting Section 15 in its proper numeric sequence as follows:

4 "Section 15. The Mobile Home Park Act is amended by
5 changing Sections 3, 4, 4.1, 4.2, 4.4, 6, 9.4, 9.8, 9.10, and
6 19 as follows:

7 (210 ILCS 115/3) (from Ch. 111 1/2, par. 713)

8 Sec. 3. No person, firm or corporation shall establish,
9 maintain, conduct, or operate a mobile home park after April
10 30, 1972, without ~~first obtaining~~ a license therefor from the
11 Department. "Conduct or operate a mobile home park" as used in
12 this Act shall include, but not necessarily be limited to
13 supplying or maintaining common water, sewer or other utility
14 supply or service, or the collection of rents directly or
15 indirectly from five or more independent mobile homes. Such
16 license shall expire April 30 of each year and a new license

1 shall be issued upon proper application and payment of the
2 annual license fee provided the applicant is in substantial
3 compliance with the Rules and Regulations of the Department.

4 (Source: P.A. 85-565.)

5 (210 ILCS 115/4) (from Ch. 111 1/2, par. 714)

6 Sec. 4. In order to obtain a permit to construct a new
7 mobile home park the applicant shall file with the Department a
8 written application and plan documents, including the
9 following:

10 (a) The full name and address of the applicant or
11 applicants, or names and addresses of the partners if the
12 applicant is a partnership, or the names and addresses of the
13 officers if the applicant is a corporation.

14 (b) The address, location and legal description of the
15 tract of land upon which it is proposed to construct, operate
16 and maintain a mobile home park.

17 (c) The name of the mobile home park.

18 (d) Detailed plans and specifications sealed by a
19 registered engineer or architect licensed to practice in the
20 State of Illinois which include a general plot plan of the
21 mobile home park with all sites and structures shown, the water
22 supply system, the sewage disposal system, the electrical
23 system, the fuel supply system, the lighting system, the method
24 of disposal of solid waste, all streets and sidewalks, swimming
25 and bathing facilities, fire hydrants and details of all

1 auxiliary structures.

2 (e) The number of mobile home sites proposed to be
3 constructed or licensed.

4 (f) A statement of the fire-fighting facilities, public or
5 private, which are available to the mobile home park.

6 (g) A plan review fee ~~of \$100~~, which is nonrefundable. For
7 permits filed prior to the effective date of this amendatory
8 Act of the 101st General Assembly, the fee shall be \$100. For
9 permits filed on or after the effective date of this amendatory
10 Act of the 101st General Assembly, the fee shall be \$500.

11 (Source: P.A. 85-565.)

12 (210 ILCS 115/4.1) (from Ch. 111 1/2, par. 714.1)

13 Sec. 4.1. A mobile home park constructed prior to the
14 effective date of this amendatory Act of 1987 but not licensed
15 by the Department shall not require a construction permit. A
16 written application for an original license shall be submitted
17 to the Department which shall include the information required
18 in paragraphs (a), (b), (c), (e) and (f) of Section 4 in
19 addition to plans showing the location of all structures and
20 utilities at the mobile home park. A fee ~~of \$100~~ is required
21 and shall not be refundable. For mobile home parks constructed
22 prior to the effective date of this amendatory Act of the 101st
23 General Assembly, the fee shall be \$100. For mobile home parks
24 constructed on or after the effective date of this amendatory
25 Act of the 101st General Assembly, the fee shall be \$250.

1 (Source: P.A. 85-565.)

2 (210 ILCS 115/4.2) (from Ch. 111 1/2, par. 714.2)

3 Sec. 4.2. An application for a permit to alter a licensed
4 mobile home park shall be submitted to the Department for any
5 changes to the water, sewage, fuel, or electrical systems other
6 than normal maintenance, the relocation of sites or the
7 expansion of the number of sites in the park. Detailed plans
8 and specifications shall be provided to show compliance with
9 this Act and the promulgated rules. A plan review fee ~~of \$50~~
10 shall accompany the application. For permits submitted prior to
11 the effective date of this amendatory Act of the 101st General
12 Assembly, the fee shall be \$50. For permits submitted on or
13 after the effective date of this amendatory Act of the 101st
14 General Assembly, the fee shall be \$150. This fee shall not be
15 refundable. Construction shall not commence until a permit is
16 issued.

17 (Source: P.A. 85-565.)

18 (210 ILCS 115/4.4) (from Ch. 111 1/2, par. 714.4)

19 Sec. 4.4. A mobile home park whose license has been voided,
20 suspended, denied or revoked may be relicensed by submission of
21 the application items required in paragraphs (a), (b), (c) and
22 (e) of Section 4 and an application fee ~~of \$50~~ which is
23 nonrefundable. For applications submitted prior to the
24 effective date of this amendatory Act of the 101st General

1 Assembly, the fee shall be \$50. For applications submitted on
2 or after the effective date of this amendatory Act of the 101st
3 General Assembly, the fee shall be \$250. Approval shall be
4 issued if an inspection of the park by the Department indicates
5 compliance with this Act and the rules promulgated pursuant to
6 this Act.

7 (Source: P.A. 85-565.)

8 (210 ILCS 115/6) (from Ch. 111 1/2, par. 716)

9 Sec. 6. In addition to the application fees provided for
10 herein, the licensee shall pay to the Department on or before
11 March 31 of each year, an annual license fee ~~which shall be~~
12 ~~\$100 plus \$4 for each mobile home space in the park.~~ For
13 calendar years prior to 2020, the annual license fee shall be
14 \$100 plus \$4 for each mobile home space in the park. Beginning
15 in calendar year 2020, the annual license fee shall be \$250
16 plus \$7 for each mobile home space in the park. Annual license
17 fees submitted after April 30 shall be subject to a \$50 late
18 fee. The licensee shall also complete and return a license
19 renewal application by March 31 of each year.

20 For notifications sent prior to the effective date of this
21 amendatory Act of the 101st General Assembly, the ~~The~~ licensee
22 shall pay to the Department within 30 days of receipt of
23 notification from the Department \$6 for each additional mobile
24 home site added to his park under authority of a written permit
25 to alter the park as provided in Section 4.2 of this Act,

1 payment for the additional mobile home sites to be made and an
2 amended license therefor obtained before any mobile homes are
3 accommodated on the additional mobile home spaces. The
4 Department shall issue an amended license to cover such
5 additional mobile home sites, when they are to be occupied
6 before the end of the license year, for which an annual license
7 has been previously issued. For notifications sent on or after
8 the effective date of this amendatory Act of the 101st General
9 Assembly, the licensee shall pay to the Department within 30
10 days of receipt of notification from the Department \$11 for
11 each additional mobile home site added to his park under
12 authority of a written permit to alter the park as provided in
13 Section 4.2 of this Act, payment for the additional mobile home
14 sites to be made and an amended license therefor obtained
15 before any mobile homes are accommodated on the additional
16 mobile home spaces. The Department shall issue an amended
17 license to cover such additional mobile home sites, when they
18 are to be occupied before the end of the license year, for
19 which an annual license has been previously issued.

20 Subsequent to the effective date of this Act, an applicant
21 for an original license to operate a new park constructed under
22 a permit issued by the Department shall only be required to pay
23 1/4 of the annual fee if such park begins operation after the
24 31st day of January and before the 1st day of May of such
25 licensing year; or 1/2 of the annual fee if such park begins
26 operation after the 31st day of October and before the 1st day

1 of February of such licensing year or 3/4 of the annual fee if
2 such park begins operation after the 31st day of July and
3 before the 1st day of November of such licensing year; but
4 shall be required to pay the entire annual fee if such park
5 begins operation after the 30th day of April and before the 1st
6 day of August of such licensing year.

7 Each license fee shall be paid to the Department and any
8 license fee or any part thereof, once paid to and accepted by
9 the Department shall not be refunded.

10 The Department shall deposit all funds received under this
11 Act into the Facility Licensing Fund. Subject to appropriation,
12 moneys in the Fund shall be used for the enforcement of this
13 Act.

14 (Source: P.A. 95-383, eff. 1-1-08.)

15 (210 ILCS 115/9.4) (from Ch. 111 1/2, par. 719.4)

16 Sec. 9.4. An adequate supply of water of safe, sanitary
17 quality, approved by the Department shall be furnished at each
18 park. Where water from other sources than that supplied by a
19 city or village is proposed to be used, the source of such
20 supply shall first be approved by the Department. Each mobile
21 home shall have a connection to a public water system, a
22 semi-private water system, or a private water supply
23 constructed in accordance with the requirements of the Illinois
24 Water Well Construction Code or the Surface Source Water
25 Treatment Code. ~~Each site shall be provided with a cold water~~

1 ~~tap located in accordance as per regulations of the Department.~~

2 (Source: P.A. 77-1472.)

3 (210 ILCS 115/9.8) (from Ch. 111 1/2, par. 719.8)

4 Sec. 9.8. Adequate insect and rodent control measures shall
5 be employed. All buildings shall be fly proof and rodent proof
6 and rodent harborages shall not be permitted to exist in the
7 park or pathways. All mobile homes shall be skirted to exclude
8 rodents and provide protection to the homes utilities from the
9 weather.

10 (Source: P.A. 77-1472.)

11 (210 ILCS 115/9.10) (from Ch. 111 1/2, par. 719.10)

12 Sec. 9.10. Porches, carports, garages, sheds, awnings,
13 skirting, and auxiliary rooms shall be constructed of materials
14 specified by rule ~~regulations~~.

15 (Source: P.A. 85-565.)

16 (210 ILCS 115/19) (from Ch. 111 1/2, par. 729)

17 Sec. 19. Violations; penalties.

18 (a) Whoever violates any provision of this Act, shall,
19 except as otherwise provided, be guilty of a Class B
20 misdemeanor. Each day's violation shall constitute a separate
21 offense. The State's Attorney of the county in which the
22 violation occurred, or the Attorney General shall bring such
23 actions in the name of the people of the State of Illinois, or

1 may, in addition to other remedies provided in this Act, bring
2 action for an injunction to restrain such violation, or to
3 enjoin the operation of any such mobile home park.

4 (b) The Department may also impose an administrative
5 monetary penalty against a person who operates a mobile home
6 park in violation of this Act or the rules adopted under the
7 authority of this Act. The Department shall establish the
8 amount of the penalties by rule. The Department must provide
9 the person with written notification of the alleged violation
10 ~~and allow a minimum of 30 days for correction of the alleged~~
11 ~~violation before imposing an administrative monetary penalty,~~
12 ~~unless the alleged violation involves life safety in which case~~
13 ~~the Department shall allow a minimum of 10 days for correction~~
14 ~~of the alleged life safety violation before imposing an~~
15 ~~administrative monetary penalty.~~ The Department shall adopt
16 rules defining classes of violations and allowing a minimum
17 number of days for correction of each class of alleged
18 violation that involve life safety.

19 In addition, before imposing an administrative monetary
20 penalty under this subsection, the Department must provide the
21 following to the person operating the mobile home park:

22 (1) Written notice of the person's right to request an
23 administrative hearing on the question of the alleged
24 violation.

25 (2) An opportunity to present evidence, orally or in
26 writing or both, on the question of the alleged violation

1 before an impartial hearing examiner appointed by the
2 Director of Public Health.

3 (3) A written decision from the Director of Public
4 Health, based on the evidence introduced at the hearing and
5 the hearing examiner's recommendations, finding that the
6 person violated this Act.

7 The Attorney General may bring an action in the circuit
8 court to enforce the collection of an administrative monetary
9 penalty imposed under this subsection.

10 The Department shall deposit all administrative monetary
11 penalties collected under this subsection into the Facility
12 Licensing Fund. Subject to appropriation, moneys in the Fund
13 shall be used for the enforcement of this Act.

14 (Source: P.A. 95-383, eff. 1-1-08.)".