

HB1612



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB1612

by Rep. Allen Skillicorn

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-12022 new
65 ILCS 5/11-13-28 new

Amends the Counties Code and the Illinois Municipal Code. Provides that county or municipality may not prohibit a private homeowner from gardening on his or her property. Limits home rule powers. Effective immediately.

LRB101 07236 AWJ 52274 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 Counties Code is amended by adding Section
5 5-12022 as follows:

6 (55 ILCS 5/5-12022 new)

7 Sec. 5-12022. Gardening. A county may not prohibit a
8 private homeowner from gardening on his or her property.

9 A home rule county may not regulate gardening in a manner
10 inconsistent with this Section. This Section is a limitation
11 under subsection (i) of Section 6 of Article VII of the
12 Illinois Constitution on the concurrent exercise by home rule
13 units of powers and functions exercised by the State.

14 Section 10. The Illinois Municipal Code is amended by
15 adding Section 11-13-28 as follows:

16 (65 ILCS 5/11-13-28 new)

17 Sec. 11-13-28. Gardening. A municipality may not prohibit a
18 private homeowner from gardening on his or her property.

19 A home rule municipality may not regulate gardening in a
20 manner inconsistent with this Section. This Section is a
21 limitation under subsection (i) of Section 6 of Article VII of

1 the Illinois Constitution on the concurrent exercise by home
2 rule units of powers and functions exercised by the State.

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