



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5802

Introduced 11/10/2020, by Rep. Anthony DeLuca

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-1-1.5 new

Amends the Illinois Municipal Code. Provides that if the corporate authorities of a municipality wish to consider defunding the municipal police department through revising or eliminating its current budget or appropriation ordinance, stopping appropriations in current or future budgets, or ending or significantly reducing a tax or taxes that support the police department, the corporate authorities of the municipality must conduct no less than 2 public hearings prior to taking any such formal action, the sole purpose of which shall be to discuss the decision to defund the police department and to receive input from the community. Includes notice requirements. Excludes municipalities that have contracted for police protection through another unit of local government or other law enforcement agency. Limits home rule powers. Effective immediately.

LRB101 21617 AWJ 72561 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 11-1-1.5 as follows:

6 (65 ILCS 5/11-1-1.5 new)

7 Sec. 11-1-1.5. Defunding a police department; public
8 hearings

9 (a) If the corporate authorities of a municipality wish to
10 consider defunding the municipal police department through
11 revising or eliminating its current budget or appropriation
12 ordinance, stopping appropriations in current or future
13 budgets, or ending or significantly reducing a tax or taxes
14 that support the police department, the corporate authorities
15 of the municipality must conduct no less than 2 public hearings
16 prior to taking any such formal action, the sole purpose of
17 which shall be to discuss the decision to defund the police
18 department and to receive input from the community.

19 (b) The notice of each public hearing shall set forth the
20 time, date, place, and description stating that the hearing is
21 to discuss defunding the municipal police department and must
22 be provided at least 10 days prior to the hearing by
23 publication on the municipality's website.

1 (c) This Section does not apply if the municipality has
2 contracted for police protection through another unit of local
3 government or other law enforcement agency.

4 (d) A home rule municipality may not defund a police
5 department in a manner inconsistent with this Section. This
6 Section is a limitation under subsection (i) of Section 6 of
7 Article VII of the Illinois Constitution on the concurrent
8 exercise by home rule units of powers and functions exercised
9 by the State.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.