



Rep. Lakesia Collins

**Filed: 4/1/2021**

10200HB1334ham001

LRB102 03350 AWJ 24611 a

1 AMENDMENT TO HOUSE BILL 1334

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1334 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Rent Control Preemption Act is amended by  
5 changing Sections 5 and 10 and by adding Section 6 as follows:

6 (50 ILCS 825/5)

7 Sec. 5. Rent control prohibited; exceptions.

8 (a) A unit of local government, as defined in Section 1 of  
9 Article VII of the Illinois Constitution, shall not enact,  
10 maintain, or enforce an ordinance or resolution that would  
11 have the effect of controlling the amount of rent charged for  
12 leasing private residential or commercial property.

13 (b) This Act does not impair the right of a unit of local  
14 government to manage and control residential property in which  
15 the unit of local government has a property interest.

16 (c) The prohibition in subsection (a) does not apply where

1 voters of a unit of local government have approved a  
2 referendum under Section 6.

3 (Source: P.A. 90-313, eff. 8-1-97.)

4 (50 ILCS 825/6 new)

5 Sec. 6. Petition and ordinance or resolution for rent  
6 control regulation by a unit of local government.

7 (a) Legal voters of a unit of local government may, by  
8 petition, propose a referendum to determine whether the unit  
9 of local government shall no longer be prohibited from  
10 enacting, maintaining, or enforcing an ordinance or resolution  
11 that would have the effect of controlling the amount of rent  
12 charged for leasing private residential or commercial  
13 property. Such a petition shall, at least 104 days before an  
14 election, be filed in the office of the clerk of such unit of  
15 local government and contain the signatures of not less than  
16 8% of the total votes cast for candidates for Governor in the  
17 preceding gubernatorial election by the registered voters of  
18 the unit of local government. The referendum shall  
19 substantially be in the following form: "Shall (unit of local  
20 government) be permitted to enact, maintain, or enforce an  
21 ordinance or resolution that would have the effect of  
22 controlling the amount of rent charged for leasing private  
23 residential or commercial property?". The referendum shall be  
24 submitted to the voters of the unit of local government at the  
25 next election at which such referendum may be voted upon.

1       (b) Legal voters of a district, precinct, ward, or other  
2 similar subdivision of a unit of local government may, by  
3 petition, propose a referendum to determine whether the unit  
4 of local government shall no longer be prohibited from  
5 enacting, maintaining, or enforcing an ordinance or resolution  
6 that would have the effect of controlling the amount of rent  
7 charged for leasing private residential or commercial property  
8 within that district, precinct, ward, or similar subdivision.  
9 Such a petition shall, at least 104 days before an election, be  
10 filed in the office of the clerk of such unit of local  
11 government and contain the signatures of not less than 16% of  
12 the legal voters registered with the board of election  
13 commissioners or county clerk, as the case may be, from the  
14 district, precinct, ward, or similar subdivision. The  
15 referendum shall substantially be in the following form:  
16 "Shall (unit of local government) be permitted to enact,  
17 maintain, or enforce an ordinance or resolution that would  
18 have the effect of controlling the amount of rent charged for  
19 leasing private residential or commercial property within  
20 (district, precinct, ward, or other similar subdivision)?".  
21 The referendum shall be submitted to the voters of the  
22 district, precinct, ward, or other similar subdivision of the  
23 unit of local government at the next election at which such  
24 referendum may be voted upon.

25       (c) The referendum shall be submitted to the voters under  
26 subsection (a) or (b) when the petition has been filed in

1 proper form with the clerk. If more than one set of petitions  
2 are presented to the clerk for submission at the same  
3 election, the petition presented first shall be given  
4 preference; however, the clerk shall provisionally accept any  
5 other set of petitions setting forth the same (or  
6 substantially the same) referendum. If the first set of  
7 petitions for a referendum is found to be in proper form and is  
8 not found to be invalid, it shall be accepted by the clerk and  
9 all provisionally accepted sets of petitions setting forth the  
10 same (or substantially the same) referendum shall be rejected  
11 by the clerk. If the first set of petitions for a referendum is  
12 found not to be in proper form or is found to be invalid, the  
13 clerk shall (i) reject the first set of petitions, (ii) accept  
14 the first provisionally accepted set of petitions that is in  
15 proper form and is not found to be invalid, and (iii) reject  
16 all other provisionally accepted sets of petitions setting  
17 forth the same (or substantially the same) referendum. Notice  
18 of the filing of the petition and the result of the election  
19 shall be given to the Secretary of State. A return of the  
20 result of the election shall be made to the clerk of the unit  
21 of local government. If a majority of the voters voting upon  
22 such referendum vote "YES", the unit of local government shall  
23 be exempt from subsection (a) of Section 5 either for the  
24 entire unit or for the district, precinct, ward, or similar  
25 subdivision stated in the referendum.

26 (d) If a unit of local government chooses to adopt an

1 ordinance or resolution, or enforce an existing ordinance,  
2 under this Section that would have the effect of controlling  
3 the amount of rent charged for leasing private residential or  
4 commercial property, it shall take measures to address the  
5 economic impact of such an ordinance or resolution upon  
6 owner-occupied residential properties of 8 or fewer units.

7 (50 ILCS 825/10)

8 Sec. 10. Home rule preemption.

9 A home rule unit may not regulate or control the amount of  
10 rent charged for leasing private residential or commercial  
11 property in a manner inconsistent with this Act. This Act  
12 ~~Section~~ is a denial and limitation of home rule powers and  
13 functions under subsection (i) ~~(g)~~ of Section 6 of Article VII  
14 of the Illinois Constitution.

15 (Source: P.A. 90-313, eff. 8-1-97.)

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law."