

HB3013



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3013

Introduced 2/19/2021, by Rep. Joe Sosnowski

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-150-2

Amends the Waterworks and Sewerage Connection Charge Division of the Illinois Municipal Code. In provisions regarding billing requirements for municipalities that operate a waterworks or combined waterworks and sewerage system, provides that, on and after the effective date of the amendatory Act, the provisions apply to home rule municipalities. Limits home rule powers. Effective immediately.

LRB102 04152 AWJ 14169 b

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
5 changing Section 11-150-2 as follows:

6 (65 ILCS 5/11-150-2)

7 Sec. 11-150-2. Billing for services.

8 (a) On or after August 18, 2017 (the effective date of
9 Public Act 100-178) ~~this amendatory Act of the 100th General~~
10 ~~Assembly~~, the corporate authorities of any municipality
11 operating a waterworks or combined waterworks and sewerage
12 system:

13 (1) shall bill for any utility service, including
14 previously unbilled service: (A) within 12 months after
15 the provision of that service to the customer if the
16 service is supplied to a residential customer; or (B)
17 within 24 months after the provision of that service to
18 that customer if the service is supplied to a
19 non-residential customer; however, the corporate
20 authorities of a municipality may bill for unpaid amounts
21 that were billed to a customer or if the customer was
22 notified that there is an unpaid amount before the
23 effective date of this amendatory Act of the 100th General

1 Assembly for service that was supplied to the customer
2 before January 1, 2016;

3 (2) shall not intentionally delay billing beyond the
4 normal billing cycle;

5 (3) shall label any amount attributed to previously
6 unbilled service as such on the customer's bill and
7 include the beginning and ending dates for the period
8 during which the previously unbilled amount accrued;

9 (4) shall issue the makeup billing amount calculated
10 on a prorated basis to reflect the varying rates for
11 previously unbilled service accrued over a period of time
12 when the rates for service have varied; and

13 (5) shall provide the customer with the option of a
14 payment arrangement to retire the makeup bill for
15 previously unbilled service by periodic payments, without
16 interest or late fees, over a time equal to the amount of
17 time the billing was delayed.

18 (b) The time limit of paragraph (1) of subsection (a)
19 shall not apply to previously unbilled service attributed to
20 tampering, theft of service, fraud, or the customer preventing
21 the utility's recorded efforts to obtain an accurate reading
22 of the meter.

23 (c) On and after the effective date of this amendatory Act
24 of the 102nd General Assembly, a home rule municipality
25 operating a waterworks or combined waterworks and sewerage
26 system may not bill customers in a manner inconsistent with

1 this Section. This Section is a limitation under subsection
2 (i) of Section 6 of Article VII of the Illinois Constitution on
3 the concurrent exercise by home rule units of powers and
4 functions exercised by the State.

5 (Source: P.A. 100-178, eff. 8-18-17.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.