



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4797

Introduced 2/6/2024, by Rep. Joyce Mason

SYNOPSIS AS INTRODUCED:

20 ILCS 3105/10.19
20 ILCS 3105/10.21 new

Amends the Capital Development Board Act. Provides, in a provision that limits the enforceability of ordinances of units of local government with respect to the remediation, redevelopment, or improvement of certain State facilities, that a unit of local government shall not include a municipal wastewater agency or unit of local government that is organized under the Sanitary District Act of 1907, the North Shore Water Reclamation District Act, the Sanitary District Act of 1917, the Metropolitan Water Reclamation District Act, the Sanitary District Act of 1936, the Metro-East Sanitary District Act of 1974, or the Eastern Will Sanitary District Act. Provides that an ordinance or regulation of a municipal wastewater agency or unit of local government that is organized under the Sanitary District Act of 1907, the North Shore Water Reclamation District Act, the Sanitary District Act of 1917, the Metropolitan Water Reclamation District Act, the Sanitary District Act of 1936, the Metro-East Sanitary District Act of 1974, or the Eastern Will Sanitary District Act, regarding the use of or connection to the wastewater treatment or collection system of the agency or unit of local government, is valid and enforceable by the agency or unit of local government with respect to the construction, reconstruction, improvement, or installation of a State facility on or after the effective date. Effective immediately.

LRB103 35745 HLH 65826 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Capital Development Board Act is amended by
5 changing Section 10.19 and by adding Section 10.21 as follows:

6 (20 ILCS 3105/10.19)

7 Sec. 10.19. Local regulation of remediation,
8 redevelopment, and improvements of inoperable State
9 facilities.

10 (a) Notwithstanding any other provision of law, an
11 ordinance of a unit of local government may not be enforced
12 against the remediation, redevelopment, or improvement of an
13 inoperable State facility conveyed to a unit of local
14 government for a recreational public purpose if the ordinance
15 prohibits, restricts, or limits the remediation,
16 redevelopment, or improvement of the inoperable State facility
17 for a recreational public purpose. A unit of local government
18 may not require payment of permitting fees or require permit
19 inspections for the remediation, redevelopment, or improvement
20 of an inoperable State facility conveyed to a unit of local
21 government for the purpose of remediation, redevelopment, or
22 improvement for a recreational public purpose.

23 (a-5) For purposes of this Section, "unit of local

1 government" does not include a municipal wastewater agency or
2 unit of local government that is organized under the Sanitary
3 District Act of 1907, the North Shore Water Reclamation
4 District Act, the Sanitary District Act of 1917, the
5 Metropolitan Water Reclamation District Act, the Sanitary
6 District Act of 1936, the Metro-East Sanitary District Act of
7 1974, or the Eastern Will Sanitary District Act.

8 (b) This Section applies to remediation, redevelopment, or
9 improvement projects that are ongoing on the effective date of
10 this amendatory Act of the 103rd General Assembly and to all
11 projects started on or after the effective date of this
12 amendatory Act of the 103rd General Assembly.

13 (c) A home rule unit may not regulate remediation,
14 redevelopment, or improvement of an inoperable State facility
15 conveyed to a unit of local government for a recreational
16 public purpose in a manner inconsistent with this Section.
17 This Section is a limitation under subsection (i) of Section 6
18 of Article VII of the Illinois Constitution on the concurrent
19 exercise by home rule units of powers and functions exercised
20 by the State.

21 (Source: P.A. 103-573, eff. 12-8-23.)

22 (20 ILCS 3105/10.21 new)

23 Sec. 10.21. Local regulation of construction,
24 reconstruction, improvement, or installation of State
25 facilities. Notwithstanding any other provision of law, an

1 ordinance or regulation of a municipal wastewater agency or
2 unit of local government that is organized under the Sanitary
3 District Act of 1907, the North Shore Water Reclamation
4 District Act, the Sanitary District Act of 1917, the
5 Metropolitan Water Reclamation District Act, the Sanitary
6 District Act of 1936, the Metro-East Sanitary District Act of
7 1974, or the Eastern Will Sanitary District Act, regarding the
8 use of or connection to the wastewater treatment or collection
9 system of the agency or unit of local government is valid and
10 enforceable by the agency or unit of local government with
11 respect to the construction, reconstruction, improvement, or
12 installation of any State facility on or after the effective
13 date of this amendatory Act of the 103rd General Assembly.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.