

1 AMENDMENT TO HOUSE BILL 3509

2 AMENDMENT NO. _____. Amend House Bill 3509 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Clean Indoor Air Act is amended
5 by changing Section 11 as follows:

6 (410 ILCS 80/11) (from Ch. 111 1/2, par. 8211)

7 Sec. 11. Home rule.

8 (a) Except as provided in subsection (b), a home rule or
9 non-home rule unit of local government in this State may
10 shall-not-have-the-power-and-authority, after--the--effective
11 date--of--this-Act, to regulate smoking in public places, but
12 that regulation must be no less restrictive than this Act.
13 This subsection (a) is a limitation on the concurrent
14 exercise of home rule power under subsection (i) of Section 6
15 of Article VII of the Illinois Constitution.

16 (b) Pursuant to Article VII, Section 6, paragraph (h) of
17 the--Illinois--Constitution of 1970, it is declared to be the
18 law of this State that the regulation of smoking as--provided
19 by--this--Act is a power which pre-empts home rule units from
20 exercising such power subject to the limitations provided--in
21 the--Act, provided that Any home rule unit that has passed an
22 ordinance concerning the regulation of smoking prior to

1 October 1, 1989 is exempt from the requirements of subsection
2 (a). pre-emption.
3 (Source: P.A. 86-1018.)

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