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09400SB0094ham001

LRB094 07025 RCE 58226 a

1 AMENDMENT TO SENATE BILL 94

2 AMENDMENT NO. _____. Amend Senate Bill 94 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by adding Section
5 5-12012.1 as follows:

6 (55 ILCS 5/5-12012.1 new)

7 Sec. 5-12012.1. Actions subject to de novo review; due
8 process.

9 (a) Any special use, variance, rezoning, or other amendment
10 to a zoning ordinance adopted by the county board of any
11 county, home rule or non-home rule, shall be subject to de novo
12 judicial review as a legislative decision, regardless of
13 whether the process of its adoption is considered
14 administrative for other purposes. Any action seeking the
15 judicial review of such a decision shall be commenced not later
16 than 90 days after the date of the decision.

17 (b) The principles of substantive and procedural due
18 process apply at all stages of the decision-making and review
19 of all zoning decisions.

20 Section 10. The Township Code is amended by adding Section
21 110-50.1 as follows:

22 (60 ILCS 1/110-50.1 new)

1 Sec. 110-50.1. Actions subject to de novo review; due
2 process.

3 (a) Any special use, variance, rezoning, or other amendment
4 to a zoning ordinance adopted by the township board of any
5 township shall be subject to de novo judicial review as a
6 legislative decision, regardless of whether the process of its
7 adoption is considered administrative for other purposes. Any
8 action seeking the judicial review of such a decision shall be
9 commenced not later than 90 days after the date of the
10 decision.

11 (b) The principles of substantive and procedural due
12 process apply at all stages of the decision-making and review
13 of all zoning decisions.

14 Section 15. The Illinois Municipal Code is amended by
15 adding Section 11-13-25 as follows:

16 (65 ILCS 5/11-13-25 new)

17 Sec. 11-13-25. Actions subject to de novo review; due
18 process.

19 (a) Any special use, variance, rezoning, or other amendment
20 to a zoning ordinance adopted by the corporate authorities of
21 any municipality, home rule or non-home rule, shall be subject
22 to de novo judicial review as a legislative decision,
23 regardless of whether the process of its adoption is considered
24 administrative for other purposes. Any action seeking the
25 judicial review of such a decision shall be commenced not later
26 than 90 days after the date of the decision.

27 (b) The principles of substantive and procedural due
28 process apply at all stages of the decision-making and review
29 of all zoning decisions.

30 Section 99. Effective date. This Act takes effect upon
31 becoming law."