



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB2127

Introduced 10/19/2005, by Sen. Larry K. Bomke

SYNOPSIS AS INTRODUCED:

New Act
30 ILCS 805/8.29 new

Creates the Water Service Termination Act. Prohibits the termination for nonpayment of water or sewer service furnished by any public utility, any utility owned or operated by any unit of local government, or any other entity to residential users, including all tenants of mastermetered buildings. Preempts home rule powers. Amends the State Mandates Act to require implementation without reimbursement by the State. Effective immediately.

LRB094 14031 MKM 48914 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning water and sewer service.

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

4 Section 1. Short title. This Act may be cited as the Water
5 and Sewer Service Termination Act.

6 Section 5. Termination of water or sewer service. No water
7 or sewer service furnished by any public utility, any utility
8 owned or operated by any unit of local government, or any other
9 entity to residential users, including all tenants of
10 mastermeters buildings, shall be terminated for nonpayment of
11 bills:

12 (1) on any day when the National Weather Service
13 forecast for the following 24 hours covering the county in
14 which the residence is located includes a heat advisory; or

15 (2) on any day preceding a holiday or a weekend when
16 the National Weather Service forecast includes a heat
17 advisory; or

18 (3) during the period of each year beginning on July 1
19 and through and including September 1.

20 Section 10. Home rule. This Act applies to all units of
21 local government that own or operate a water or sewer utility,
22 including home rule units. A home rule unit may not regulate
23 the termination of water service in a manner inconsistent with
24 this Section. This Section is a limitation under subsection (i)
25 of Section 6 of Article 7 of the Illinois Constitution on the
26 concurrent exercise by home rule units of powers and functions
27 exercised by the State. Nothing in this Section shall prevent
28 any unit of local government from establishing more stringent
29 measures.

30 Section 90. The State Mandates Act is amended by adding

1 Section 8.29 as follows:

2 (30 ILCS 805/8.29 new)

3 Sec. 8.29. Exempt mandate. Notwithstanding Sections 6 and 8
4 of this Act, no reimbursement by the State is required for the
5 implementation of any mandate created by this amendatory Act of
6 the 94th General Assembly.

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