



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0866

Introduced 2/10/2009, by Rep. Harry Osterman

SYNOPSIS AS INTRODUCED:

820 ILCS 175/47 new

Amends the Day and Temporary Labor Services Act. Provides that, in a municipality with more than 1,000,000 inhabitants, a day and temporary labor service agency may not operate or transact business at a location that is within 1,000 feet of a school building or a building in which a Boys and Girls Club is located or real property comprising a school or a Boys and Girls Club. Exempts a day and temporary labor service agency that registered with the Department of Labor before January 1, 2008 and received an occupancy permit from the municipality for that location before January 1, 2008. Defines "school" as a public or private pre-school, elementary school, or secondary school. Contains a home rule preemption.

LRB096 07355 WGH 17441 b

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

1 AN ACT concerning labor.

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

4 Section 5. The Day and Temporary Labor Services Act is
5 amended by adding Section 47 as follows:

6 (820 ILCS 175/47 new)

7 Sec. 47. Location of a day and temporary labor service
8 agency.

9 (a) In a municipality with more than 1,000,000 inhabitants,
10 a day or temporary labor service agency may not operate or
11 transact business at a location within 1,000 feet of: (i) a
12 school building or a building in which a Boys and Girls Club is
13 located; or (ii) real property comprising a school or a Boys
14 and Girls Club.

15 (b) This Section does not apply to a day and temporary
16 labor service agency that:

17 (1) registered with the Department of Labor prior to
18 January 1, 2008; and

19 (2) received an occupancy permit for a location
20 described in subsection (a) of this Section from the
21 municipality prior to January 1, 2008.

22 (c) As used in this Section, "school" means a public or
23 private pre-school, elementary school, or secondary school.

1 (d) A home rule unit may not regulate the location of a day
2 and temporary labor service agency in a manner inconsistent
3 with the regulation by the State of the location of a day and
4 temporary labor service agency under this Section. This
5 subsection (d) is a limitation under subsection (i) of Section
6 6 of Article VII of the Illinois Constitution on the concurrent
7 exercise by home rule units of powers and functions exercised
8 by the State.