



Rep. Laura Fine

Filed: 3/26/2015

09900HB0201ham001

LRB099 01014 AWJ 33336 a

1 AMENDMENT TO HOUSE BILL 201

2 AMENDMENT NO. _____. Amend House Bill 201 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by adding Section
5 5-1123.5 as follows:

6 (55 ILCS 5/5-1123.5 new)

7 Sec. 5-1123.5. Surety bond program.

8 (a) A county board may, by resolution or ordinance,
9 implement a surety bond program for municipalities in the
10 county that wish to require licensed contractors to provide a
11 surety bond to perform work in that municipality. A county that
12 implements a surety bond program shall accept surety bonds from
13 contractors in that county who wish to be licensed by
14 municipalities in that county. The surety bond shall list the
15 county as the obligee. If a county board implements this
16 program, no municipality may impose a requirement that a

1 contractor shall submit an additional surety bond to the
2 municipality as a condition of licensure.

3 (b) If a municipality assesses fees or fines against a
4 contractor, and the contractor does not pay those fees or
5 fines, the municipality may collect the fees or fines by
6 redeeming the surety bond. The municipality shall so inform the
7 county and instruct the county to redeem the surety bond. The
8 county shall disperse all funds from the surety bond to the
9 municipalities in the order in which the unpaid fees and fines
10 from the municipalities were submitted to the county. The
11 county may impose an additional fee against the contractor if a
12 surety bond is redeemed under this Section.

13 (c) A home rule unit may not regulate surety bonds in a
14 manner inconsistent with this Section. This Section is a
15 limitation under subsection (i) of Section 6 of Article VII of
16 the Illinois Constitution on the concurrent exercise by home
17 rule units of powers and functions exercised by the State or
18 other units of local government.

19 Section 10. The Illinois Municipal Code is amended by
20 adding Section 11-39-5 as follows:

21 (65 ILCS 5/11-39-5 new)

22 Sec. 11-39-5. Surety bond program. Notwithstanding any
23 provision of this Code to the contrary, where a county has
24 enacted a surety bond program under Section 5-1123.5 of the

1 Counties Code, no municipality may impose a surety bond
2 requirement except as provided under that Section.".