



Sen. Toi W. Hutchinson

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09900SB1547sam001

LRB099 10920 AWJ 32228 a

1 AMENDMENT TO SENATE BILL 1547

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1547 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by adding Section  
5 5-1005.10 as follows:

6 (55 ILCS 5/5-1005.10 new)

7 Sec. 5-1005.10. Ordinances penalizing tenants who contact  
8 police or other emergency services prohibited.

9 (a) Definitions. As used in this Section:

10 "Contact" includes any communication made by a tenant,  
11 landlord, guest, neighbor, or other individual to police or  
12 other emergency services.

13 "Criminal activity" means a violation of the Criminal Code  
14 of 2012, of the Cannabis Control Act, of the Illinois  
15 Controlled Substances Act, or of the Methamphetamine Control  
16 and Community Protection Act.

1       "Domestic violence", "landlord", "sexual violence", and  
2 "tenant", have the meanings provided under Section 10 of the  
3 Safe Homes Act.

4       "Dwelling unit" has the meaning provided under subsection  
5 (a) of Section 15 of the Landlord and Tenant Act.

6       "Emergency situation" means a threat of, or events causing,  
7 physical harm or death to a person or damage or destruction to  
8 property.

9       "Penalizes" includes, but is not limited to:

10           (1) assessment of fees or fines;

11           (2) revocation, suspension or nonrenewal of any  
12 license or permit required for the rental or occupancy of  
13 any dwelling unit;

14           (3) termination or denial of a subsidized housing  
15 contract or housing subsidy; and

16           (4) termination or nonrenewal of a residential lease  
17 agreement.

18       "Subsidized housing" has the meaning provided under  
19 subsection (a) of Section 9-119 of the Code of Civil Procedure.

20       (b) Protection. No county shall enact or enforce an  
21 ordinance or regulation that penalizes tenants or landlords  
22 based in whole or in part on contact made to police or other  
23 emergency services, if:

24           (1) the contact was made with the intent to prevent the  
25 perpetration or escalation of domestic violence, sexual  
26 violence, criminal activity, or any other emergency

1 situation;

2 (2) the contact was made with the intent to respond to  
3 domestic violence, sexual violence, criminal activity, or  
4 other emergency situation;

5 (3) the intervention or emergency assistance was  
6 needed to respond to or prevent the perpetration or  
7 escalation of domestic violence, sexual violence, criminal  
8 activity, or other emergency situation; or

9 (4) the contact was made by, on behalf of, or otherwise  
10 concerns an individual with a disability and the purpose of  
11 the contact was related to that individual's disability.

12 (c) Repeal or modification of ordinances. Should a county  
13 have enacted an ordinance that is inconsistent with subsection  
14 (b) of this Section prior to the effective date of this  
15 amendatory Act of the 99th General Assembly, the county shall  
16 within 90 days of the effective date of this amendatory Act of  
17 the 99th General Assembly repeal the ordinance or modify the  
18 ordinance so that it is in compliance with subsection (b) of  
19 this Section.

20 (d) Remedies. If a county enacts, enforces, or fails to  
21 repeal or modify an ordinance or regulation against a tenant or  
22 landlord in violation of subsections (b) or (c), the tenant or  
23 landlord may bring a civil action to seek any one or more of  
24 the following remedies:

25 (1) an order invalidating the ordinance or regulation  
26 in whole or in part to the extent required to bring the

1 ordinance or regulation into in compliance with the  
2 requirements of subsection (b);

3 (2) compensatory damages;

4 (3) reasonable attorney fees and court costs; and

5 (4) other equitable relief as the court may deem  
6 appropriate and just.

7 (e) Home rule. This Section is a denial and limitation of  
8 home rule powers and functions under subsection (g) of Section  
9 6 of Article VII of the Illinois Constitution.

10 (f) Effect.

11 (1) Nothing with respect to this Section limits  
12 enforcement of Section 15.2 of the Emergency Telephone  
13 System Act, Article 26 of the Criminal Code of 2012, and  
14 Article IX of the Code of Civil Procedure.

15 (2) Nothing in this Section shall be interpreted to  
16 limit or prohibit any county from enacting or enforcing an  
17 ordinance that does not penalize landlords or tenants on  
18 the basis of contact made to police or other emergency  
19 service.

20 Section 10. The Township Code is amended by adding Section  
21 85-56 as follows:

22 (60 ILCS 1/85-56 new)

23 Sec. 85-56. Ordinances penalizing tenants who contact  
24 police or other emergency services prohibited.

1       (a) Definitions. As used in this Section:

2       "Contact" includes any communication made by a tenant,  
3 landlord, guest, neighbor, or other individual to police or  
4 other emergency services.

5       "Criminal activity" means a violation of the Criminal Code  
6 of 2012, of the Cannabis Control Act, of the Illinois  
7 Controlled Substances Act, or of the Methamphetamine Control  
8 and Community Protection Act.

9       "Domestic violence", "landlord", "sexual violence", and  
10 "tenant", have the meanings provided under Section 10 of the  
11 Safe Homes Act.

12       "Dwelling unit" has the meaning provided under subsection  
13 (a) of Section 15 of the Landlord and Tenant Act.

14       "Emergency situation" means a threat of, or events causing,  
15 physical harm or death to a person or damage or destruction to  
16 property.

17       "Penalizes" includes, but is not limited to:

18           (1) assessment of fees or fines;

19           (2) revocation, suspension or nonrenewal of any  
20 license or permit required for the rental or occupancy of  
21 any dwelling unit;

22           (3) termination or denial of a subsidized housing  
23 contract or housing subsidy; and

24           (4) termination or nonrenewal of a residential lease  
25 agreement.

26       "Subsidized housing" has the meaning provided under

1 subsection (a) of Section 9-119 of the Code of Civil Procedure.

2 (b) Protection. No township shall enact or enforce an  
3 ordinance or regulation that penalizes tenants or landlords  
4 based in whole or in part on contact made to police or other  
5 emergency services, if:

6 (1) the contact was made with the intent to prevent the  
7 perpetration or escalation of domestic violence, sexual  
8 violence, criminal activity, or any other emergency  
9 situation;

10 (2) the contact was made with the intent to respond to  
11 domestic violence, sexual violence, criminal activity, or  
12 other emergency situation;

13 (3) the intervention or emergency assistance was  
14 needed to respond to or prevent the perpetration or  
15 escalation of domestic violence, sexual violence, criminal  
16 activity, or other emergency situation; or

17 (4) the contact was made by, on behalf of, or otherwise  
18 concerns an individual with a disability and the purpose of  
19 the contact was related to that individual's disability.

20 (c) Repeal or modification of ordinances. Should a township  
21 have enacted an ordinance that is inconsistent with subsection  
22 (b) of this Section prior to the effective date of this  
23 amendatory Act of the 99th General Assembly, the township shall  
24 within 90 days of the effective date of this amendatory Act of  
25 the 99th General Assembly repeal the ordinance or modify the  
26 ordinance so that it is in compliance with subsection (b) of

1 this Section.

2 (d) Remedies. If a township enacts, enforces, or fails to  
3 repeal or modify an ordinance or regulation against a tenant or  
4 landlord in violation of subsections (b) or (c), the tenant or  
5 landlord may bring a civil action to seek any one or more of  
6 the following remedies:

7 (1) an order invalidating the ordinance or regulation  
8 in whole or in part to the extent required to bring the  
9 ordinance or regulation into in compliance with the  
10 requirements of subsection (b);

11 (2) compensatory damages;

12 (3) reasonable attorney fees and court costs; and

13 (4) other equitable relief as the court may deem  
14 appropriate and just.

15 (e) Effect.

16 (1) Nothing with respect to this Section limits  
17 enforcement of Section 15.2 of the Emergency Telephone  
18 System Act, Article 26 of the Criminal Code of 2012, and  
19 Article IX of the Code of Civil Procedure.

20 (2) Nothing in this Section shall be interpreted to  
21 limit or prohibit any township from enacting or enforcing  
22 an ordinance that does not penalize landlords or tenants on  
23 the basis of contact made to police or other emergency  
24 service.

25 Section 15. The Illinois Municipal Code is amended by

1 adding Section 1-2-1.5 as follows:

2 (65 ILCS 5/1-2-1.5 new)

3 Sec. 1-2-1.5. Ordinances penalizing tenants who contact  
4 police or other emergency services prohibited.

5 (a) Definitions. As used in this Section:

6 "Contact" includes any communication made by a tenant,  
7 landlord, guest, neighbor, or other individual to police or  
8 other emergency services.

9 "Criminal activity" means a violation of the Criminal Code  
10 of 2012, of the Cannabis Control Act, of the Illinois  
11 Controlled Substances Act, or of the Methamphetamine Control  
12 and Community Protection Act.

13 "Domestic violence", "landlord", "sexual violence", and  
14 "tenant", have the meanings provided under Section 10 of the  
15 Safe Homes Act.

16 "Dwelling unit" has the meaning provided under subsection  
17 (a) of Section 15 of the Landlord and Tenant Act.

18 "Emergency situation" means a threat of, or events causing,  
19 physical harm or death to a person or damage or destruction to  
20 property.

21 "Penalizes" includes, but is not limited to:

22 (1) assessment of fees or fines;

23 (2) revocation, suspension or nonrenewal of any  
24 license or permit required for the rental or occupancy of  
25 any dwelling unit;



1           (3) termination or denial of a subsidized housing  
2           contract or housing subsidy; and

3           (4) termination or nonrenewal of a residential lease  
4           agreement.

5           "Subsidized housing" has the meaning provided under  
6           subsection (a) of Section 9-119 of the Code of Civil Procedure.

7           (b) Protection. No municipality shall enact or enforce an  
8           ordinance or regulation that penalizes tenants or landlords  
9           based in whole or in part on contact made to police or other  
10           emergency services, if:

11           (1) the contact was made with the intent to prevent the  
12           perpetration or escalation of domestic violence, sexual  
13           violence, criminal activity, or any other emergency  
14           situation;

15           (2) the contact was made with the intent to respond to  
16           domestic violence, sexual violence, criminal activity, or  
17           other emergency situation;

18           (3) the intervention or emergency assistance was  
19           needed to respond to or prevent the perpetration or  
20           escalation of domestic violence, sexual violence, criminal  
21           activity, or other emergency situation; or

22           (4) the contact was made by, on behalf of, or otherwise  
23           concerns an individual with a disability and the purpose of  
24           the contact was related to that individual's disability.

25           (c) Repeal or modification of ordinances. Should a  
26           municipality have enacted an ordinance that is inconsistent

1 with subsection (b) of this Section prior to the effective date  
2 of this amendatory Act of the 99th General Assembly, the  
3 municipality shall within 90 days of the effective date of this  
4 amendatory Act of the 99th General Assembly repeal the  
5 ordinance or modify the ordinance so that it is in compliance  
6 with subsection (b) of this Section.

7 (d) Remedies. If a municipality enacts, enforces, or fails  
8 to repeal or modify an ordinance or regulation against a tenant  
9 or landlord in violation of subsections (b) or (c), the tenant  
10 or landlord may bring a civil action to seek any one or more of  
11 the following remedies:

12 (1) an order invalidating the ordinance or regulation  
13 in whole or in part to the extent required to bring the  
14 ordinance or regulation into in compliance with the  
15 requirements of subsection (b);

16 (2) compensatory damages;

17 (3) reasonable attorney fees and court costs; and

18 (4) other equitable relief as the court may deem  
19 appropriate and just.

20 (e) Home rule. This Section is a denial and limitation of  
21 home rule powers and functions under subsection (g) of Section  
22 6 of Article VII of the Illinois Constitution.

23 (f) Effect.

24 (1) Nothing with respect to this Section limits  
25 enforcement of Section 15.2 of the Emergency Telephone  
26 System Act, Article 26 of the Criminal Code of 2012, and

1 Article IX of the Code of Civil Procedure.

2 (2) Nothing in this Section shall be interpreted to  
3 limit or prohibit any municipality from enacting or  
4 enforcing an ordinance that does not penalize landlords or  
5 tenants on the basis of contact made to police or other  
6 emergency service.

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