



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5326

by Rep. Jerry Costello, II

SYNOPSIS AS INTRODUCED:

65 ILCS 5/1-2-1.7 new

Amends the Illinois Municipal Code. Provides that the corporate authorities of a non-home rule municipality may adopt a crime-free rental housing ordinance for the purpose of reducing crime, including drugs and gang-related activities, in residential areas. Provides that the municipality's police department or other municipal employees may administer and enforce the ordinance. Provides that the ordinance may include, but is not limited to: (1) a requirement for a valid residential rental license; (2) a requirement that the owner submit to a public safety and crime prevention inspection and attend a training program or seminar concerning crime prevention; (3) a requirement for leases to include a provision or an addendum that prohibits a tenant, a tenant's family member, or a guest of the tenant from engaging in criminal activity on the property, including providing that the violation of this provision permits a landlord to initiate eviction proceeding; (4) a requirement to conduct background checks on prospective tenants or current tenants before renewing a lease; (5) a requirement to submit to periodic inspections of the rental property; and (6) penalties for violating the ordinance. Provides that the provisions of a crime-free rental housing ordinance may not be waived or modified in a lease or separate agreement. Provides that a crime-free rental housing ordinance does not apply to a facility licensed or inspected by the State or federal government, but that the ordinance does apply to mobile home parks. Effective immediately.

LRB100 17400 AWJ 32566 b

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Municipal Code is amended by adding
5 Section 1-2-1.7 as follows:

6 (65 ILCS 5/1-2-1.7 new)

7 Sec. 1-2-1.7. Crime-free rental housing ordinance.

8 (a) The corporate authorities of a non-home rule
9 municipality may adopt a crime-free rental housing ordinance
10 for the purpose of reducing crime, including drugs and
11 gang-related activities, in residential areas. The
12 municipality's police department or other municipal employees
13 may administer and enforce the ordinance.

14 (b) A crime-free rental housing ordinance may include, but
15 is not limited to:

16 (1) a requirement that a property owner obtain a valid
17 residential rental license from the municipality in order
18 to rent any dwelling unit or renew an existing lease for a
19 dwelling unit;

20 (2) a requirement that a property owner submit to a
21 public safety and crime prevention inspection and attend a
22 training program or seminar concerning crime prevention
23 before he or she may obtain a residential rental license;

1 (3) a requirement that any lease entered into for
2 residential property located in the municipality include a
3 provision or an addendum that prohibits a tenant, a
4 tenant's family member, or a guest of the tenant from
5 engaging in, facilitating, or permitting any
6 quasi-criminal or criminal activity as defined by federal,
7 State, or local law, including providing that the violation
8 of this provision permits a landlord to initiate eviction
9 proceeding;

10 (4) a requirement that, on and after the effective date
11 of the crime-free rental housing ordinance, a property
12 owner must conduct a background check on a person prior to
13 entering into or renewing an agreement to lease rental
14 property to that person;

15 (5) a requirement that a property owner submit to
16 periodic inspections of his or her rental property to
17 ensure compliance with applicable laws and regulation; and

18 (6) penalties for violating the ordinance.

19 (c) The provisions of any ordinance enacted under this
20 Section may not be waived or modified in any lease or separate
21 agreement.

22 (d) This Section does not apply to any facility that is
23 licensed or inspected by the State of Illinois or the federal
24 government. However, this Section applies to mobile home parks.

25 (e) As used in this Section:

26 "Mobile home park" has the meaning given to that term in

1 Section 2.5 of the Mobile Home Park Act.

2 "Tenant" means a tenant, subtenant, lessee, sublessee, or
3 other person entitled to possession, occupancy, or benefits of
4 a residential rental property.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.