



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5604

by Rep. Thaddeus Jones

SYNOPSIS AS INTRODUCED:

- 65 ILCS 5/11-109-5 new
- 65 ILCS 5/11-129-8.5 new
- 65 ILCS 5/11-130-8.5 new
- 65 ILCS 5/11-139-2.5 new

Amends the Illinois Municipal Code. Provides that a municipality may not operate an emergency sewer repair program. Provides that a municipality that maintains and repairs a waterworks system, a water supply system, or a combined waterworks and sewerage system must publish on its website a plan for the maintenance and repair of underground water service lines (and sewerage systems in a combined waterworks and sewerage system). Provides that the plan must detail any scheduled or foreseeable maintenance and repair to be completed over the following 5-year period, as well as any scheduled or foreseeable maintenance and repair to be completed over the following 10-year period. Provides that physical copies of the plan must be made available for inspection and review at a municipal office. Limits home rule powers. Effective immediately.

LRB100 20058 AWJ 35340 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

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 Sections 11-109-5, 11-129-8.5, 11-130-8.5, and 11-139-2.5 as
6 follows:

7 (65 ILCS 5/11-109-5 new)

8 Sec. 11-109-5. Emergency sewer repair programs. A
9 municipality, including a home rule municipality, may not
10 operate an emergency sewer repair program. This Section is a
11 denial and limitation of home rule powers and functions under
12 subsection (g) of Section 6 of Article VII of the Illinois
13 Constitution.

14 (65 ILCS 5/11-129-8.5 new)

15 Sec. 11-129-8.5. Scheduled maintenance and repair plan.

16 (a) A municipality that maintains and repairs a waterworks
17 system or water supply system must publish on its website a
18 plan for the maintenance and repair of underground water
19 service lines. The plan must detail any scheduled or
20 foreseeable maintenance and repair to be completed over the
21 following 5-year period, as well as any scheduled or
22 foreseeable maintenance and repair to be completed over the

1 following 10-year period. Physical copies of the plan must be
2 made available for inspection and review at a municipal office.

3 (b) A home rule municipality shall establish and publish a
4 scheduled maintenance and repair plan in a manner no less
5 restrictive than provided for in this Section. This Section is
6 a limitation under subsection (i) of Section 6 of Article VII
7 of the Illinois Constitution on the concurrent exercise by home
8 rule units of powers and functions exercised by the State.

9 (65 ILCS 5/11-130-8.5 new)

10 Sec. 11-130-8.5. Scheduled maintenance and repair plan.

11 (a) A municipality that maintains and repairs a waterworks
12 system must publish on its website a plan for the maintenance
13 and repair of underground water service lines. The plan must
14 detail any scheduled or foreseeable maintenance and repair to
15 be completed over the following 5-year period, as well as any
16 scheduled or foreseeable maintenance and repair to be completed
17 over the following 10-year period. Physical copies of the plan
18 must be made available for inspection and review at a municipal
19 office.

20 (b) A home rule municipality shall establish and publish a
21 scheduled maintenance and repair plan in a manner no less
22 restrictive than provided for in this Section. This Section is
23 a limitation under subsection (i) of Section 6 of Article VII
24 of the Illinois Constitution on the concurrent exercise by home
25 rule units of powers and functions exercised by the State.

1 (65 ILCS 5/11-139-2.5 new)

2 Sec. 11-139-2.5. Scheduled maintenance and repair plan.

3 (a) A municipality that maintains and repairs a combined
4 waterworks and sewerage system must publish on its website a
5 plan for the maintenance and repair of underground water
6 service lines and sewerage systems. The plan must detail any
7 scheduled or foreseeable maintenance and repair to be completed
8 over the following 5-year period, as well as any scheduled or
9 foreseeable maintenance and repair to be completed over the
10 following 10-year period. Physical copies of the plan must be
11 made available for inspection and review at a municipal office.

12 (b) A home rule municipality shall establish and publish a
13 scheduled maintenance and repair plan in a manner no less
14 restrictive than provided for in this Section. This Section is
15 a limitation under subsection (i) of Section 6 of Article VII
16 of the Illinois Constitution on the concurrent exercise by home
17 rule units of powers and functions exercised by the State.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.