



Rep. Joyce Mason

Filed: 4/7/2025

10400HB3493ham001

LRB104 10246 HLH 24995 a

1 AMENDMENT TO HOUSE BILL 3493

2 AMENDMENT NO. _____. Amend House Bill 3493 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Capital Development Board Act is amended
5 by adding Section 10.20 as follows:

6 (20 ILCS 3105/10.20 new)

7 Sec. 10.20. Local regulation of State facilities.

8 (a) Notwithstanding any other provision of law, no
9 ordinance or permitting requirement of a unit of local
10 government shall be enforced against the construction,
11 reconstruction, improvement, or installation of a State
12 facility, other than an ordinance or permitting requirement
13 that is (i) an ordinance or permitting requirement of a
14 sanitary district or an ordinance or permitting requirement
15 regulating a municipally-owned wastewater system and (ii)
16 mandated by State or federal laws, rules, or regulations or

1 related to environmental protection, as supported by industry
2 standards.

3 Upon the Board's' request, a sanitary district or unit of
4 local government regulating a municipally-owned wastewater
5 system must provide to the Board information that verifies
6 that an ordinance or permitting requirement described in
7 subsection (a) is mandated by State or federal laws, rules, or
8 regulations or that an ordinance or permitting requirement
9 described in subsection (a) related to environmental
10 protection is supported by industry standards.

11 (b) The Board shall coordinate with local utilities
12 regarding utility connection requirements and procedures.

13 (c) Before undertaking any activity involving the
14 construction, reconstruction, improvement, or installation of
15 any State facility, the Board shall coordinate and consult
16 with the units of local government that are responsible for
17 providing utility and fire protection services to that State
18 facility in order to ensure that utility and fire protection
19 services can be provided by the unit of local government to the
20 State facility in the most effective manner.

21 (d) Nothing in this Section shall relieve the Board from
22 compliance with any State or federal mandate. This Section
23 does not relieve the Board from the obligation to compensate
24 units of local governments for fair and reasonable connection
25 or impact costs.

26 (e) This Section applies to the construction,

1 reconstruction, improvement and installation of State
2 facilities that is ongoing on the effective date of this
3 amendatory Act of the 104th General Assembly and to all
4 projects that begin on or after the effective date of this
5 amendatory Act of the 104th General Assembly.

6 (f) A home rule unit may not regulate the construction,
7 reconstruction, improvement, or installation of a State
8 facility in a manner that is inconsistent with this Section.
9 This Section is a limitation under subsection (i) of Section 6
10 of Article VII of the Illinois Constitution on the concurrent
11 exercise by home rule units of powers and functions exercised
12 by the State.

13 (g) As used in this Section:

14 "Fair and reasonable connection or impact costs" means
15 demonstrated costs incurred by the unit of local government
16 that (i) directly result from the Board's use of or impact on
17 local infrastructure or (ii) are consistent with similar costs
18 that are applied to non-governmental capital projects.

19 "State facility" means any capital project under the
20 authority of the Capital Development Board."