



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2454

Introduced 2/7/2025, by Sen. Michael W. Halpin

#### SYNOPSIS AS INTRODUCED:

20 ILCS 3105/10.20 new

Amends the Capital Development Board Act. Provides that an ordinance of a unit of local government shall not be enforced against the construction, reconstruction, improvement, or installation of a State facility. Provides that the provisions apply to the construction, reconstruction, improvement, and installation of State facilities that is either ongoing or starts on or after the effective date of the amendatory Act. Provides that the Board and State agencies shall, to the fullest extent practicable, coordinate and consult with units of local government responsible for providing fire protection services to a State facility before undertaking any activity involving the construction, reconstruction, improvement, or installation of the State facility, in order to ensure fire protection services can be provided by the unit of local government to the State facility in the most effective manner. Defines "State facilities". Limits home rule powers.

LRB104 11049 HLH 21131 b

1 AN ACT concerning State government.

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

4 Section 5. The Capital Development Board Act is amended by  
5 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 of a unit of local government shall be enforced  
10 against the construction, reconstruction, improvement, or  
11 installation of a State facility. A unit of local government  
12 shall not require payment of permitting fees or require permit  
13 inspections for the construction, reconstruction, improvement,  
14 or installation of any State facility.

15 (b) The Board shall, to the fullest extent practicable,  
16 coordinate with local utilities regarding utility connection  
17 requirements and procedures.

18 (c) Before undertaking any activity involving the  
19 construction, reconstruction, improvement, or installation of  
20 any State facility, the Board shall, to the fullest extent  
21 practicable, coordinate and consult with the units of local  
22 government that are responsible for providing fire protection  
23 services to that State facility in order to ensure that fire

1 protection services can be provided by the unit of local  
2 government to the State facility in the most effective manner.

3 (d) Nothing in this Section shall relieve the Board from  
4 compliance with any State or federal mandate. This Section  
5 does not relieve the Board from the obligation to compensate  
6 units of local governments for fair and reasonable connection  
7 or impact costs that (i) conform to industry standards or (ii)  
8 are consistent with similar costs that are applied to private,  
9 non-governmental capital projects.

10 (e) This Section applies to the construction,  
11 reconstruction, improvement and installation of State  
12 facilities that is ongoing on the effective date of this  
13 amendatory Act of the 104th General Assembly and to all  
14 projects that begin on or after the effective date of this  
15 amendatory Act of the 104th General Assembly.

16 (f) A home rule unit may not regulate the construction,  
17 reconstruction, improvement, or installation of a State  
18 facility in a manner that is inconsistent with this Section.  
19 This Section is a limitation under subsection (i) of Section 6  
20 of Article VII of the Illinois Constitution on the concurrent  
21 exercise by home rule units of powers and functions exercised  
22 by the State.

23 (g) As used in this Section:

24 "Fair and reasonable connection or impact costs" means  
25 demonstrated costs incurred by the unit of local government  
26 that directly result from the Board's use of or impact on local

1 infrastructure.

2 "State facility" means any capital project under the

3 authority of the Capital Development Board.