

# HB0685



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0685

by Rep. Anna Moeller

### SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1057.5 new  
65 ILCS 5/11-20-6.5 new

Amends the Counties Code and Illinois Municipal Code. Provides that counties and municipalities may not classify milkweed as a noxious or exotic weed. Limits home rule powers.

LRB100 06879 AWJ 16929 b

HOME RULE NOTE  
ACT MAY APPLY

A BILL FOR

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 Counties Code is amended by adding Section  
5 5-1057.5 as follows:

6 (55 ILCS 5/5-1057.5 new)

7 Sec. 5-1057.5. Milkweed classification.

8 (a) For purposes of this Section, "milkweed" means  
9 Asclepias syriaca or other native Asclepias species.

10 (b) A county may not classify milkweed as a noxious or  
11 exotic weed.

12 (c) A county may not classify milkweed in a manner  
13 inconsistent with this Section. This Section is a limitation  
14 under subsection (i) of Section 6 of Article VII of the  
15 Illinois Constitution on the concurrent exercise by home rule  
16 units of powers and functions exercised by the State.

17 Section 10. The Illinois Municipal Code is amended by  
18 adding Section 11-20-6.5 as follows:

19 (65 ILCS 5/11-20-6.5 new)

20 Sec. 11-20-6.5. Milkweed classification.

21 (a) For purposes of this Section, "milkweed" means

1 Asclepias syriaca or other native Asclepias species.

2 (b) The corporate authorities of a municipality may not  
3 classify milkweed as a noxious or exotic weed.

4 (c) A municipality may not classify milkweed in a manner  
5 inconsistent with this Section. This Section is a limitation  
6 under subsection (i) of Section 6 of Article VII of the  
7 Illinois Constitution on the concurrent exercise by home rule  
8 units of powers and functions exercised by the State.