



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4221

Introduced 1/22/2020, by Rep. Joe Sosnowski

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-150-2

Amends the Waterworks and Sewerage Connection Charge Division of the Illinois Municipal Code. In provisions regarding billing requirements for municipalities that operate a waterworks or combined waterworks and sewerage system, provides that, on and after the effective date of the amendatory Act, the provisions apply to home rule municipalities. Limits home rule powers. Effective immediately.

LRB101 16265 AWJ 65638 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
5 changing Section 11-150-2 as follows:

6 (65 ILCS 5/11-150-2)

7 Sec. 11-150-2. Billing for services.

8 (a) On or after August 18, 2017 (the effective date of
9 Public Act 100-178) ~~this amendatory Act of the 100th General~~
10 ~~Assembly,~~ the corporate authorities of any municipality
11 operating a waterworks or combined waterworks and sewerage
12 system:

13 (1) shall bill for any utility service, including
14 previously unbilled service: (A) within 12 months after the
15 provision of that service to the customer if the service is
16 supplied to a residential customer; or (B) within 24 months
17 after the provision of that service to that customer if the
18 service is supplied to a non-residential customer;
19 however, the corporate authorities of a municipality may
20 bill for unpaid amounts that were billed to a customer or
21 if the customer was notified that there is an unpaid amount
22 before the effective date of this amendatory Act of the
23 100th General Assembly for service that was supplied to the

1 customer before January 1, 2016;

2 (2) shall not intentionally delay billing beyond the
3 normal billing cycle;

4 (3) shall label any amount attributed to previously
5 unbilled service as such on the customer's bill and include
6 the beginning and ending dates for the period during which
7 the previously unbilled amount accrued;

8 (4) shall issue the makeup billing amount calculated on
9 a prorated basis to reflect the varying rates for
10 previously unbilled service accrued over a period of time
11 when the rates for service have varied; and

12 (5) shall provide the customer with the option of a
13 payment arrangement to retire the makeup bill for
14 previously unbilled service by periodic payments, without
15 interest or late fees, over a time equal to the amount of
16 time the billing was delayed.

17 (b) The time limit of paragraph (1) of subsection (a) shall
18 not apply to previously unbilled service attributed to
19 tampering, theft of service, fraud, or the customer preventing
20 the utility's recorded efforts to obtain an accurate reading of
21 the meter.

22 (c) On and after the effective date of this amendatory Act
23 of the 101st General Assembly, a home rule municipality
24 operating a waterworks or combined waterworks and sewerage
25 system may not bill customers in a manner inconsistent with
26 this Section. This Section is a limitation under subsection (i)

1 of Section 6 of Article VII of the Illinois Constitution on the
2 concurrent exercise by home rule units of powers and functions
3 exercised by the State.

4 (Source: P.A. 100-178, eff. 8-18-17.)

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