

HB3766



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3766

Introduced 2/22/2021, by Rep. Thaddeus Jones

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-76-7 new

Amends the Illinois Municipal Code. Provides that the city council of a municipality may not adopt an ordinance or resolution selling the right to use or profit from a municipal asset, including, but not limited to, water resources, without first conducting a public hearing followed by a referendum approving the sale at the election next following the public hearing.

LRB102 10949 AWJ 16281 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

HOUSING
AFFORDABILITY
IMPACT 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 Illinois Municipal Code is amended by
5 adding Section 11-76-7 as follows:

6 (65 ILCS 5/11-76-7 new)

7 Sec. 11-76-7. Sale of rights to municipal assets.

8 (a) Notwithstanding any other provision of law, the city
9 council of a municipality may not adopt an ordinance or
10 resolution selling the right to use or profit from municipal
11 assets, including, but not limited to, water resources,
12 without first conducting a public hearing followed by a
13 referendum of the electors at the election next following the
14 public hearing. If the electors approve by referendum the sale
15 of the right to use or profit from the municipal asset, the
16 city council may adopt an ordinance or resolution selling the
17 right to use or profit from the municipal asset or assets
18 according to the provisions of the referendum.

19 (b) A home rule municipality may not regulate the sale of
20 the right to use or profit from a municipal asset in a manner
21 inconsistent with this Section. This Section is a limitation
22 under subsection (i) of Section 6 of Article VII of the
23 Illinois Constitution on the concurrent exercise by home rule

1 units of powers and functions exercised by the State.