



Sen. Michael W. Halpin

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10300SB3608sam001

LRB103 38398 HLH 72104 a

1 AMENDMENT TO SENATE BILL 3608

2 AMENDMENT NO. _____. Amend Senate Bill 3608 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 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

1 requirements and procedures.

2 (c) Before undertaking any activity involving the
3 construction, reconstruction, improvement, or installation of
4 any State facility, the Board shall, to the fullest extent
5 practicable, coordinate and consult with the units of local
6 government that are responsible for providing fire protection
7 services to that State facility in order to ensure that fire
8 protection services can be provided by the unit of local
9 government to the State facility in the most effective manner.

10 (d) Nothing in this Section shall relieve the Board from
11 compliance with any State or federal mandate. This Section
12 does not relieve the Board from the obligation to compensate
13 units of local governments for fair and reasonable connection
14 or impact costs that (i) conform to industry standards or (ii)
15 are consistent with similar costs that are applied to private,
16 non-governmental capital projects.

17 (e) This Section applies to the construction,
18 reconstruction, improvement and installation of State
19 facilities that is ongoing on the effective date of this
20 amendatory Act of the 103rd General Assembly and to all
21 projects that begin on or after the effective date of this
22 amendatory Act of the 103rd General Assembly.

23 (f) A home rule unit may not regulate the construction,
24 reconstruction, improvement, or installation of a State
25 facility in a manner that is inconsistent with this Section.
26 This Section is a limitation under subsection (i) of Section 6

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

4 (g) As used in this Section:

5 "Fair and reasonable connection or impact costs" means
6 demonstrated costs incurred by the unit of local government
7 that directly result from the Board's use of or impact on local
8 infrastructure.

9 "State facility" means any capital project under the
10 authority of the Capital Development Board."