

1 AN ACT to amend the Illinois Clean Indoor Air Act by  
2 changing Section 11.

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

5 Section 5. The Illinois Clean Indoor Air Act is amended  
6 by changing Section 11 as follows:

7 (410 ILCS 80/11) (from Ch. 111 1/2, par. 8211)

8 Sec. 11. A home rule or non-home rule unit of local  
9 government in this State may ~~shall not have the power and~~  
10 ~~authority, after the effective date of this Act, to~~ regulate  
11 smoking in public places, but that regulation must be no less  
12 restrictive than this Act. This Section is a limitation on  
13 the concurrent exercise of home rule power under subsection  
14 (i) of Section 6 of Article VII of the Illinois Constitution.  
15 ~~Pursuant to Article VII, Section 6, paragraph (h) of the~~  
16 ~~Illinois Constitution of 1970, it is declared to be the law~~  
17 ~~of this State that the regulation of smoking as provided by~~  
18 ~~this Act is a power which pre-empts home rule units from~~  
19 ~~exercising such power subject to the limitations provided in~~  
20 ~~the Act, provided that any home rule unit that has passed an~~  
21 ~~ordinance concerning the regulation of smoking prior to~~  
22 ~~October 1, 1989 is exempt from pre-emption.~~

23 (Source: P.A. 86-1018.)

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.