

1 AN ACT concerning disclosure of utility services to be
2 provided by landlords.

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

5 Section 5. The Tenant Utility Payment Disclosure Act is
6 amended by adding Section 3 as follows:

7 (765 ILCS 740/3 new)

8 Sec. 3. Disclosure of utility services to be provided by
9 landlord. Before executing a lease, the landlord shall provide
10 to the prospective tenant a signed and sworn affidavit
11 detailing any utility services to be paid for by the landlord.
12 The affidavit shall specifically declare that payment for the
13 indicated utility services is the obligation of the landlord
14 rather than the tenant and that the indicated utility services
15 will be turned on and functioning by the date of occupancy
16 under the lease.

17 Failure of the landlord to provide the required affidavit
18 does not invalidate the lease, but shall give rise to a
19 rebuttable presumption of the landlord's bad faith in any
20 action against the landlord based in whole or in part on the
21 landlord's failure to provide utility services. Provides,
22 however, that nothing in this Section shall be interpreted as
23 authorizing the resale of electric service.