

1 AMENDMENT TO SENATE BILL 612

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 612 on page 1, by  
3 replacing lines 8 through 22 with the following:

4 "Sec. 11. Home rule.

5 (a) Except as provided in subsection (b), a home rule or  
6 non-home rule unit of local government in this State may  
7 shall-not-have-the-power-and-authority, after--the--effective  
8 date--of--this-Act, to regulate smoking in public places, but  
9 that regulation must be no less restrictive than this Act.

10 This subsection (a) is a limitation on the concurrent  
11 exercise of home rule power under subsection (i) of Section 6  
12 of Article VII of the Illinois Constitution.

13 (b) Pursuant to Article VII, Section 6, paragraph (h) of  
14 the--Illinois--Constitution of 1970, it is declared to be the  
15 law of this State that the regulation of smoking as--provided  
16 by--this--Act is a power which pre-empts home rule units from  
17 exercising such power subject to the limitations provided--in  
18 the--Act, provided that Any home rule unit that has passed an  
19 ordinance concerning the regulation of smoking prior to  
20 October 1, 1989 is exempt from the requirements of subsection  
21 (a). pre-emption."