

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 Counties Code is amended by adding Section  
5 5-1182 as follows:

6 (55 ILCS 5/5-1182 new)

7 Sec. 5-1182. Charitable organizations; solicitation.

8 (a) No county may prohibit a charitable organization, as  
9 defined in Section 2 of the Charitable Games Act, from  
10 soliciting for charitable purposes, including solicitations  
11 taking place on public roadways from passing motorists, if all  
12 of the following requirements are met.

13 (1) The persons to be engaged in the solicitation are  
14 law enforcement personnel, firefighters, or other persons  
15 employed to protect the public safety of a local agency,  
16 and those persons are soliciting solely in an area that is  
17 within the service area of that local agency.

18 (2) The charitable organization files an application  
19 with the municipality or county having jurisdiction over  
20 the location or locations where the solicitation is to  
21 occur. The applications shall be filed not later than 10  
22 business days before the date that the solicitation is to  
23 begin and shall include all of the following:

1           (A) The date or dates and times of day when the  
2           solicitation is to occur.

3           (B) The location or locations where the  
4           solicitation is to occur.

5           (C) The manner and conditions under which the  
6           solicitation is to occur.

7           (D) Proof of a valid liability insurance policy in  
8           the amount of at least \$1,000,000 insuring the charity  
9           or local agency against bodily injury and property  
10           damage arising out of or in connection with the  
11           solicitation.

12           The county shall approve the application within 5 business  
13           days after the filing date of the application, but may impose  
14           reasonable conditions in writing that are consistent with the  
15           intent of this Section and are based on articulated public  
16           safety concerns. By acting under this Section, a local agency  
17           does not waive or limit any immunity from liability provided by  
18           any other provision of law.

19           (b) For purposes of this Section, "local agency" means a  
20           municipality, county, special district, fire district, joint  
21           powers of authority, or other political subdivision of the  
22           State of Illinois.

23           (c) A home rule unit may not regulate a charitable  
24           organization in a manner that is inconsistent with this  
25           Section. This Section is a limitation under subsection (i) of  
26           Section 6 of Article VII of the Illinois Constitution on the

1 concurrent exercise by home rule units of powers and functions  
2 exercised by the State.

3 Section 10. The Illinois Municipal Code is amended by  
4 changing Section 11-80-9 as follows:

5 (65 ILCS 5/11-80-9) (from Ch. 24, par. 11-80-9)

6 Sec. 11-80-9. The corporate authorities of each  
7 municipality may prevent and regulate all amusements and  
8 activities having a tendency to annoy or endanger persons or  
9 property on the sidewalks, streets, and other municipal  
10 property. However, no municipality may prohibit a charitable  
11 organization, as defined in Section 2 of the Charitable Games  
12 Act, from soliciting for charitable purposes, including  
13 solicitations taking place on public roadways from passing  
14 motorists, if all of the following requirements are met.

15 (1) The persons to be engaged in the solicitation are  
16 law enforcement personnel, firefighters, or other persons  
17 employed to protect the public safety of a local agency,  
18 and that are soliciting solely in an area that is within  
19 the service area of that local agency.

20 (2) The charitable organization files an application  
21 with the municipality or county having jurisdiction over  
22 the location or locations where the solicitation is to  
23 occur. The applications shall be filed not later than 10  
24 business days before the date that the solicitation is to

1 begin and shall include all of the following:

2 (A) The date or dates and times of day when the  
3 solicitation is to occur.

4 (B) The location or locations where the  
5 solicitation is to occur.

6 (C) The manner and conditions under which the  
7 solicitation is to occur.

8 (D) Proof of a valid liability insurance policy in  
9 the amount of at least \$1,000,000 insuring the charity  
10 or local agency against bodily injury and property  
11 damage arising out of or in connection with the  
12 solicitation.

13 The municipality shall approve the application within 5  
14 business days after the filing date of the application, but may  
15 impose reasonable conditions in writing that are consistent  
16 with the intent of this Section and are based on articulated  
17 public safety concerns. By acting under this Section, a local  
18 agency does not waive or limit any immunity from liability  
19 provided by any other provision of law.

20 (3) For purposes of this Section, "local agency" means a  
21 municipality, county, special district, fire district, joint  
22 powers of authority, or other political subdivision of the  
23 State of Illinois.

24 A home rule unit may not regulate a charitable organization  
25 in a manner that is inconsistent with this Section. This  
26 Section is a limitation under subsection (i) of Section 6 of

1 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 (Source: Laws 1961, p. 576.)

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.