

1 AN ACT concerning regulation.

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

4 Section 5. The Mobile Home Park Act is amended by changing
5 Sections 9 and 19 and by adding Section 9.16 as follows:

6 (210 ILCS 115/9) (from Ch. 111 1/2, par. 719)

7 Sec. 9. Each mobile home park licensed or to be constructed
8 under the provisions of this Act shall be operated and
9 maintained in accordance with the requirements of Sections 9.1
10 to 9.16 ~~9.15~~, inclusive, of this Act.

11 (Source: P.A. 91-357, eff. 7-29-99.)

12 (210 ILCS 115/9.16 new)

13 Sec. 9.16. Disclosure of the manufacture of
14 methamphetamine in a mobile home. When a licensee or owner of a
15 mobile home park has been notified in writing by law
16 enforcement authorities that one of the mobile homes in the
17 mobile home park has been used for the manufacture of
18 methamphetamine as defined in Section 10 of the Methamphetamine
19 Control and Community Protection Act, then the licensee or
20 owner of the mobile home park shall inform a potential buyer of
21 the mobile home that law enforcement authorities have notified
22 the licensee or owner in writing that the mobile home has been

1 used for the manufacture of methamphetamine.

2 The obligation of disclosure shall be imposed on the
3 licensee or owner of the mobile home park only if the licensee
4 or owner receives a written application for residency in the
5 mobile home park from the prospective buyer prior to the
6 prospective buyer acquiring the home and such application
7 specifically identifies the applicable home and that the
8 prospective buyer may acquire the home. If the licensee or
9 owner provides the required disclosure to the prospective
10 buyer, then the seller of the mobile home shall not have any
11 right to seek legal or equitable remedies against the licensee
12 or owner on account of or in any way related to the disclosure,
13 even if it is determined that the disclosure was not required
14 to be made under this Section (for example, if the disclosure
15 results in the prospective buyer not acquiring the mobile home,
16 then the seller of the mobile home may not seek any redress or
17 equitable remedies against the licensee or owner providing the
18 disclosure in any way related to or resulting from the
19 disclosure). If a licensee or owner violates this Section as
20 determined by an impartial hearing examiner appointed by the
21 Director of Public Health, then: (i) a prospective buyer shall
22 not have any redress or cause of action against a licensee or
23 owner for such failure; (ii) a violation shall not be subject
24 to the terms of Section 19 of this Act; and (iii) the only
25 liability a licensee or owner shall have for a violation of
26 this Section shall be the payment of a fine in an amount

1 determined by the examiner after the conclusion of a hearing
2 and the examiner determining that the licensee or owner, as
3 applicable, violated this Section, such fine not to exceed
4 \$2,000 for each violation.