



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1052

Introduced 1/9/2025, by Rep. Dave Vella

SYNOPSIS AS INTRODUCED:

New Act

Creates the Food Truck Freedom Act. Provides that a municipality, county, or township may create a license or permitting scheme for a food truck to operate within its jurisdiction. Provides that a food truck license or permit obtained from a municipality, county, or township in Illinois has full force and effect in all other jurisdictions in Illinois so long as that license or permit was issued after: (1) an inspection by a local health department that uses recommendations made by the Food and Drug Administration concerning food trucks and (2) an inspection by a local fire department that uses recommendations made by the National Fire Prevention Association concerning food trucks. Provides that nothing in the provisions prevents a municipality, county, or township from imposing placement or zoning restrictions or fees so long as those restrictions and fees are uniformly applied to all food trucks, regardless of the food truck's license or permit jurisdiction. Defines "food truck". Limits the concurrent exercise of home rule powers. Effective January 1, 2026.

LRB104 03592 RTM 13616 b

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 1. Short title. This Act may be cited as the Food
5 Truck Freedom Act.

6 Section 5. Definition. As used in this Act:

7 "Food truck" means a fully encased food service
8 establishment:

9 (1) on a motor vehicle or on a trailer that a motor
10 vehicle pulls to transport; and

11 (2) from which a food truck vendor, standing within
12 the frame of the vehicle or trailer, prepares, cooks,
13 sells, or serves food or beverages for immediate human
14 consumption.

15 "Food truck" does not include a food cart or an ice cream
16 truck.

17 Section 10. Food truck license or permitting scheme. A
18 municipality, county, or township may create a license or
19 permitting scheme for a food truck to operate within its
20 jurisdiction.

21 Section 15. Effect of license or permit from another

1 jurisdiction.

2 (a) A food truck license or permit obtained from a
3 municipality, county, or township in Illinois has full force
4 and effect in all other jurisdictions in Illinois so long as
5 that license or permit was issued after:

6 (1) an inspection by a local health department that
7 uses recommendations made by the Food and Drug
8 Administration concerning food trucks; and

9 (2) an inspection by a local fire department or local
10 fire protection district that uses recommendations made by
11 the National Fire Prevention Association concerning food
12 trucks.

13 (b) Nothing in this Section prevents a municipality,
14 county, or township from imposing placement or zoning
15 restrictions or fees so long as those restrictions and fees
16 are uniformly applied to all food trucks, regardless of the
17 food truck's license or permit jurisdiction.

18 Section 90. Home rule. A home rule unit may not regulate
19 food trucks in a manner inconsistent with this Act. This Act is
20 a limitation under subsection (i) of Section 6 of Article VII
21 of the Illinois Constitution on the concurrent exercise by
22 home rule units of powers and functions exercised by the
23 State.

24 Section 99. Effective date. This Act takes effect January
25 1, 2026.