



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3477

Introduced 2/5/2026, by Sen. Mike Simmons

SYNOPSIS AS INTRODUCED:

735 ILCS 5/9-219 new

Amends the Code of Civil Procedure. Creates an eviction moratorium for residential real estate for a 12-month period against a tenant or a member of the tenant's household who: (1) has been unable to work for any period of time because of detention by immigration authorities within the previous 12 months; or (2) has experienced termination of benefits under the federal Supplemental Nutrition Assistance Program (SNAP), Medicaid, or Social Security within the previous 12 months; and (3) the detention or benefit termination has materially affected the tenant's ability to pay the agreed rent. Provides that the court may issue a residential eviction order if a covered tenant poses a direct threat to the health and safety of other tenants or an immediate and severe risk to property. Prohibits a residential landlord from commencing or continuing a residential eviction action a tenant who has provided the landlord with a declaration that the tenant is a covered tenant under the Act during the 12-month period. Prohibits a residential landlord from charging any fees, penalties, or other charges related to the nonpayment of rent by a covered tenant during the 12-month period. Provides that nothing in the Act may be construed as relieving any individual of the obligation to pay rent or comply with any other obligation that an individual may have under a lease or rental agreement. Provides that the Illinois Housing Development Authority may adopt rules to create the required form for a declaration.

LRB104 20108 JRC 33559 b

1 AN ACT concerning civil law.

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

4 Section 5. The Code of Civil Procedure is amended by
5 adding Section 9-219 as follows:

6 (735 ILCS 5/9-219 new)

7 Sec. 9-219. Eviction moratorium.

8 (a) During the 12-month period after this amendatory Act
9 of the 104th General Assembly becomes law, a court may not
10 issue a residential eviction order under the Eviction Article
11 against a covered tenant.

12 (b) A covered tenant is someone living in a residence or a
13 member of the tenant's household who:

14 (1) has been unable to work for any period of time
15 because of detention by immigration authorities within the
16 previous 12 months; or

17 (2) has experienced termination of benefits under the
18 federal Supplemental Nutrition Assistance Program (SNAP),
19 Medicaid, or Social Security within the previous 12
20 months; and

21 (3) the detention or benefit termination has
22 materially affected the tenant's ability to pay the agreed
23 rent.

1 (c) The court shall allow the tenant to present evidence
2 from the U.S. Immigration and Customs Enforcement online
3 detainee locator system; evidence from the Department of Human
4 Services showing termination of SNAP, Medicaid, or Social
5 Security benefits; or other evidence relevant to subsection
6 (a) that is not prohibited by the Illinois Rules of Evidence.

7 (d) If practicable, the court must grant a request by a
8 covered tenant to appear in court remotely.

9 (e) Notwithstanding the provisions of subsection (a), the
10 court may issue a residential eviction order if a covered
11 tenant poses a direct threat to the health and safety of other
12 tenants or an immediate and severe risk to property.

13 (f) During the 12-month period after this amendatory Act
14 becomes law, a residential landlord may not commence or
15 continue a residential eviction action under the Eviction
16 Article against a tenant who has provided the landlord with a
17 declaration indicating under penalty of perjury that the
18 tenant is a covered tenant under this Section. The declaration
19 may be a form made available by the Illinois Housing
20 Development Authority or similar declaration.

21 (g) During the 12-month period after this amendatory Act
22 becomes law, a residential landlord may not charge fees,
23 penalties, or other charges related to the nonpayment of rent
24 by a covered tenant.

25 (h) Nothing in this Section may be construed as relieving
26 any individual of the obligation to pay rent or comply with any

1 other obligation that an individual may have under a lease or
2 rental agreement.

3 (i) The Illinois Housing Development Authority may adopt
4 rules to implement the creation of a form as provided in
5 subsection (f).