



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3985

Introduced 2/6/2026, by Sen. Jason Plummer

SYNOPSIS AS INTRODUCED:

New Act
20 ILCS 3305/7

from Ch. 127, par. 1057

Creates the Protecting Religious Assembly in States of Emergency Act that may be referred to as the PRAISE Act. Provides that a place of worship is exempted from any order, rule, regulation, ordinance, resolution, or other directive issued by the State government or a unit of local government under an emergency or health or safety determination, declaration, or proclamation that requires closure or limitation of any business or other facility otherwise open to public use or patronage. Requires the provisions to be construed to give religious organizations and the organizations' places of worship the same degree of freedom to meet as is given to the most favored entity or set of entities. Allows a civil action by a person or religious organization that has been burdened or impaired by a violation of the Act to seek the following relief: injunctive orders, compensatory damages, nominal damages, a finding of a violation, and, when malice or recklessness is demonstrated, punitive damages. Limits the concurrent exercise of home rule powers. Amends the Illinois Emergency Management Agency Act to make a conforming change.

LRB104 19928 JRC 33378 b

1 AN ACT concerning 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
5 Protecting Religious Assembly in States of Emergency Act and
6 may be referred to as the PRAISE Act.

7 Section 5. Definition. As used in this Act, "place of
8 worship" means a church, synagogue, mosque, temple, or other
9 building, structure, or place used primarily for religious
10 worship and includes the grounds of the building, structure,
11 or place.

12 Section 10. Protection for places of worship. A place of
13 worship is exempted from any order, rule, regulation,
14 ordinance, resolution, or other directive issued by the State
15 government or a unit of local government under an emergency or
16 health or safety determination, declaration, or proclamation
17 that requires closure or limitation of any business or other
18 facility otherwise open to public use or patronage. This
19 Section shall be construed to give to religious organizations
20 and the organizations' places of worship the same degree of
21 freedom to meet as is given to the most favored entity or set
22 of entities.

1 Section 15. Enforcement. A person or religious
2 organization burdened or impaired by a violation of Section 10
3 may bring a civil action for relief against the burden or
4 impairment in a circuit court. A court may provide the
5 following noninclusive relief: injunctive orders, compensatory
6 damages, nominal damages, a finding of a violation, and, when
7 malice or recklessness is demonstrated, punitive damages.

8 Section 20. Home rule. A home rule unit may not regulate
9 places of worship in a manner inconsistent with this Act. This
10 Act is a limitation under subsection (i) of Section 6 of
11 Article VII of the Illinois Constitution on the concurrent
12 exercise by home rule units of powers and functions exercised
13 by the State.

14 Section 100. The Illinois Emergency Management Agency Act
15 is amended by changing Section 7 as follows:

16 (20 ILCS 3305/7) (from Ch. 127, par. 1057)

17 Sec. 7. Emergency Powers of the Governor. In the event of a
18 disaster, as defined in Section 4, the Governor may, by
19 proclamation declare that a disaster exists. Upon such
20 proclamation, the Governor shall have and may exercise for a
21 period not to exceed 30 days the following emergency powers;
22 provided, however, that the lapse of the emergency powers

1 shall not, as regards any act or acts occurring or committed
2 within the 30-day period, deprive any person, firm,
3 corporation, political subdivision, or body politic of any
4 right or rights to compensation or reimbursement which he,
5 she, it, or they may have under the provisions of this Act:

6 (1) To suspend the provisions of any regulatory
7 statute prescribing procedures for conduct of State
8 business, or the orders, rules and regulations of any
9 State agency, if strict compliance with the provisions of
10 any statute, order, rule, or regulation would in any way
11 prevent, hinder or delay necessary action, including
12 emergency purchases, by the Illinois Emergency Management
13 Agency, in coping with the disaster.

14 (2) To utilize all available resources of the State
15 government as reasonably necessary to cope with the
16 disaster and of each political subdivision of the State.

17 (3) To transfer the direction, personnel or functions
18 of State departments and agencies or units thereof for the
19 purpose of performing or facilitating disaster response
20 and recovery programs.

21 (4) On behalf of this State to take possession of, and
22 to acquire full title or a lesser specified interest in,
23 any personal property as may be necessary to accomplish
24 the objectives set forth in Section 2 of this Act,
25 including: airplanes, automobiles, trucks, trailers,
26 buses, and other vehicles; coal, oils, gasoline, and other

1 fuels and means of propulsion; explosives, materials,
2 equipment, and supplies; animals and livestock; feed and
3 seed; food and provisions for humans and animals; clothing
4 and bedding; and medicines and medical and surgical
5 supplies; and to take possession of and for a limited
6 period occupy and use any real estate necessary to
7 accomplish those objectives; but only upon the undertaking
8 by the State to pay just compensation therefor as in this
9 Act provided, and then only under the following
10 provisions:

11 a. The Governor, or the person or persons as the
12 Governor may authorize so to do, may forthwith take
13 possession of property for and on behalf of the State;
14 provided, however, that the Governor or persons shall
15 simultaneously with the taking, deliver to the owner
16 or his or her agent, if the identity of the owner or
17 agency is known or readily ascertainable, a signed
18 statement in writing, that shall include the name and
19 address of the owner, the date and place of the taking,
20 description of the property sufficient to identify it,
21 a statement of interest in the property that is being
22 so taken, and, if possible, a statement in writing,
23 signed by the owner, setting forth the sum that he or
24 she is willing to accept as just compensation for the
25 property or use. Whether or not the owner or agent is
26 known or readily ascertainable, a true copy of the

1 statement shall promptly be filed by the Governor or
2 the person with the Director, who shall keep the
3 docket of the statements. In cases where the sum that
4 the owner is willing to accept as just compensation is
5 less than \$1,000, copies of the statements shall also
6 be filed by the Director with, and shall be passed upon
7 by an Emergency Management Claims Commission,
8 consisting of 3 disinterested citizens who shall be
9 appointed by the Governor, by and with the advice and
10 consent of the Senate, within 20 days after the
11 Governor's declaration of a disaster, and if the sum
12 fixed by them as just compensation be less than \$1,000
13 and is accepted in writing by the owner, then the State
14 Treasurer out of funds appropriated for these
15 purposes, shall, upon certification thereof by the
16 Emergency Management Claims Commission, cause the sum
17 so certified forthwith to be paid to the owner. The
18 Emergency Management Claims Commission is hereby given
19 the power to issue appropriate subpoenas and to
20 administer oaths to witnesses and shall keep
21 appropriate minutes and other records of its actions
22 upon and the disposition made of all claims.

23 b. When the compensation to be paid for the taking
24 or use of property or interest therein is not or cannot
25 be determined and paid under item a of this paragraph
26 (4), a petition in the name of The People of the State

1 of Illinois shall be promptly filed by the Director,
2 which filing may be enforced by mandamus, in the
3 circuit court of the county where the property or any
4 part thereof was located when initially taken or used
5 under the provisions of this Act praying that the
6 amount of compensation to be paid to the person or
7 persons interested therein be fixed and determined.
8 The petition shall include a description of the
9 property that has been taken, shall state the physical
10 condition of the property when taken, shall name as
11 defendants all interested parties, shall set forth the
12 sum of money estimated to be just compensation for the
13 property or interest therein taken or used, and shall
14 be signed by the Director. The litigation shall be
15 handled by the Attorney General for and on behalf of
16 the State.

17 c. Just compensation for the taking or use of
18 property or interest therein shall be promptly
19 ascertained in proceedings and established by judgment
20 against the State, that shall include, as part of the
21 just compensation so awarded, interest at the rate of
22 6% per annum on the fair market value of the property
23 or interest therein from the date of the taking or use
24 to the date of the judgment; and the court may order
25 the payment of delinquent taxes and special
26 assessments out of the amount so awarded as just

1 compensation and may make any other orders with
2 respect to encumbrances, rents, insurance, and other
3 charges, if any, as shall be just and equitable.

4 (5) When required by the exigencies of the disaster,
5 to sell, lend, rent, give, or distribute all or any part of
6 property so or otherwise acquired to the inhabitants of
7 this State, or to political subdivisions of this State,
8 or, under the interstate mutual aid agreements or compacts
9 as are entered into under the provisions of subparagraph
10 (5) of paragraph (c) of Section 6 to other states, and to
11 account for and transmit to the State Treasurer all funds,
12 if any, received therefor.

13 (6) To recommend the evacuation of all or part of the
14 population from any stricken or threatened area within the
15 State if the Governor deems this action necessary.

16 (7) To prescribe routes, modes of transportation, and
17 destinations in connection with evacuation.

18 (8) To control ingress and egress to and from a
19 disaster area, the movement of persons within the area,
20 and the occupancy of premises therein.

21 (9) To suspend or limit the sale, dispensing, or
22 transportation of alcoholic beverages, firearms,
23 explosives, and combustibles.

24 (10) To make provision for the availability and use of
25 temporary emergency housing.

26 (11) A proclamation of a disaster shall activate the

1 State Emergency Operations Plan, and political subdivision
2 emergency operations plans applicable to the political
3 subdivision or area in question and be authority for the
4 deployment and use of any forces that the plan or plans
5 apply and for use or distribution of any supplies,
6 equipment, and materials and facilities assembled,
7 stockpiled or arranged to be made available under this Act
8 or any other provision of law relating to disasters.

9 (12) Control, restrict, and regulate by rationing,
10 freezing, use of quotas, prohibitions on shipments, price
11 fixing, allocation or other means, the use, sale or
12 distribution of food, feed, fuel, clothing and other
13 commodities, materials, goods, or services; and perform
14 and exercise any other functions, powers, and duties as
15 may be necessary to promote and secure the safety and
16 protection of the civilian population.

17 (13) During the continuance of any disaster the
18 Governor is commander-in-chief of the organized and
19 unorganized militia and of all other forces available for
20 emergency duty. To the greatest extent practicable, the
21 Governor shall delegate or assign authority to the
22 Director to manage, coordinate, and direct all resources
23 by orders issued at the time of the disaster.

24 (14) Prohibit increases in the prices of goods and
25 services during a disaster.

26 Nothing in this Act allows the Governor or any other

1 governmental official to proclaim, declare, or otherwise issue
2 any order that violates the Protecting Religious Assembly in
3 States of Emergency Act.

4 (Source: P.A. 102-485, eff. 8-20-21.)