



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB4031

Introduced 1/4/2021, by Sen. Ram Villivalam

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-60-3 new

Amends the Issuing Licenses and Abating Nuisances Division of the Illinois Municipal Code. Provides that nothing in the Division shall prohibit the issuance or renewal of a license authorizing the sale of tobacco products or tobacco accessories at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of the property line of any building or other location used primarily as a school if: (1) the school is a private elementary school; (2) the school is located within the boundaries of West Devon Avenue, West Rosemont Avenue, North Mozart Street, and North Fairfield Avenue; and (3) the sale of tobacco products or tobacco accessories at the premises occurs only after school hours until no later than 2 a.m. Limits home rule powers. Effective immediately.

LRB101 23265 AWJ 74475 b

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

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 Illinois Municipal Code is amended by adding
5 Section 11-60-3 as follows:

6 (65 ILCS 5/11-60-3 new)

7 Sec. 11-60-3. Sale of tobacco products or tobacco
8 accessories near schools.

9 (a) Notwithstanding any provision of law, nothing in this
10 Division shall prohibit the issuance or renewal of a license
11 authorizing the sale of tobacco products or tobacco accessories
12 at a premises that is located within a municipality with a
13 population in excess of 1,000,000 inhabitants and is within 100
14 feet of the property line of any building or other location
15 used primarily as a school if:

16 (1) the school is a private elementary school;

17 (2) the school is located within the boundaries of West
18 Devon Avenue, West Rosemont Avenue, North Mozart Street,
19 and North Fairfield Avenue; and

20 (3) the sale of tobacco products or tobacco accessories
21 at the premises occurs only after school hours until no
22 later than 2 a.m.

23 (b) A home rule municipality may not regulate the issuance

1 or renewal of a license authorizing the sale of tobacco
2 products or tobacco accessories in a manner inconsistent with
3 this Section. This Section is a limitation under subsection (i)
4 of Section 6 of Article VII of the Illinois Constitution on the
5 concurrent exercise by home rule units of powers and functions
6 exercised by the State.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.