



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4938

Introduced 1/27/2022, by Rep. Edgar Gonzalez, Jr.

SYNOPSIS AS INTRODUCED:

60 ILCS 1/85-70 new
65 ILCS 5/11-20-17 new
30 ILCS 805/8.46 new

Amends the Township Code and Illinois Municipal Code. Provides that a warming center shall be established and maintained in each township and municipality with a population over 5,000, except in a township and municipality coterminous or substantially coterminous, where one warming center may be established and maintained jointly. Limits municipal home rule powers. Amends the State Mandates Act to require implementation without reimbursement.

LRB102 25057 AWJ 34316 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 Township Code is amended by adding Section
5 85-70 as follows:

6 (60 ILCS 1/85-70 new)

7 Sec. 85-70. Warming centers.

8 (a) In a township with a population over 5,000, the board
9 of trustees shall establish and the township maintain a
10 warming center. The warming center must be a structure
11 completely enclosed to the elements and that must keep those
12 who are inside reasonably warm.

13 (b) In a township coterminous or substantially coterminous
14 with a municipality, the board of trustees and city council of
15 a municipality may establish and maintain one warming center
16 jointly on terms agreed upon by the board of trustees and city
17 council.

18 Section 10. The Illinois Municipal Code is amended by
19 adding Section 11-20-17 as follows:

20 (65 ILCS 5/11-20-17 new)

21 Sec. 11-20-17. Warming centers.

1 (a) In municipalities with a population over 5,000, the
2 city council shall establish and the municipality maintain a
3 warming center. The warming center must be a structure
4 completely enclosed to the elements and that must keep those
5 who are inside reasonably warm.

6 (b) In a municipality coterminous or substantially
7 coterminous with a township, the city council and board of
8 trustees of the township may establish and maintain one
9 warming center jointly on terms agreed upon by the board of
10 trustees and city council.

11 (c) A home rule municipality may not establish or regulate
12 warming centers in a manner inconsistent with this Section.
13 This Section is a limitation under subsection (i) of Section 6
14 of Article VII of the Illinois Constitution on the concurrent
15 exercise by home rule units of powers and functions exercised
16 by the State.

17 Section 90. The State Mandates Act is amended by adding
18 Section 8.46 as follows:

19 (30 ILCS 805/8.46 new)

20 Sec. 8.46. Exempt mandate. Notwithstanding Sections 6 and
21 8 of this Act, no reimbursement by the State is required for
22 the implementation of any mandate created by this amendatory
23 Act of the 102nd General Assembly.