



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1226

Introduced 1/31/2023, by Rep. Thaddeus Jones

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-76-7 new

Amends the Illinois Municipal Code. Provides that the city council of a municipality may not adopt an ordinance or resolution selling the right to use or profit from a municipal asset, such as water resources, without first conducting a public hearing followed by a referendum approving the sale at the election next following the public hearing.

LRB103 24795 AWJ 51124 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 5. The Illinois Municipal Code is amended by
5 adding Section 11-76-7 as follows:

6 (65 ILCS 5/11-76-7 new)

7 Sec. 11-76-7. Sale of rights to municipal assets.

8 (a) Notwithstanding any other provision of law, the city
9 council of a municipality may not adopt an ordinance or
10 resolution selling the right to use or profit from municipal
11 assets, such as water resources, without first conducting a
12 public hearing followed by a referendum of the electors at the
13 election next following the public hearing. If the electors
14 approve by referendum the sale of the right to use or profit
15 from the municipal asset, the city council may adopt an
16 ordinance or resolution selling the right to use or profit
17 from the municipal asset or assets according to the provisions
18 of the referendum.

19 (b) A home rule municipality may not regulate the sale of
20 the right to use or profit from a municipal asset in a manner
21 inconsistent with this Section. This Section is a limitation
22 under subsection (i) of Section 6 of Article VII of the
23 Illinois Constitution on the concurrent exercise by home rule

1 units of powers and functions exercised by the State.