

1 AN ACT in relation to civil procedure.

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 7-101.5 as follows:

6 (735 ILCS 5/7-101.5 new)

7 Sec. 7-101.5. Condemnation for public use only.

8 (a) The State, a political subdivision of the State, or
9 a municipality may take or damage private property under this
10 Article only for a public use. The State, a political
11 subdivision of the State, or a municipality may not take or
12 damage private property under this Article for the purpose of
13 transferring the property to a private for-profit entity.

14 (b) A home rule unit may not regulate the taking or
15 damaging of private property in a manner inconsistent with
16 the regulation by the State of the taking or damaging of
17 private property under this Section. This Section is a
18 limitation under subsection (i) of Section 6 of Article VII
19 of the Illinois Constitution on the concurrent exercise by
20 home rule units of powers and functions exercised by the
21 State.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.