



Testimony in Opposition to HB 1429 (HFA 1)

To: Honorable Members of the House Housing Committee

From: Joe McCoy, Executive Director, ISACO

Date: March 24, 2026

Subject: Opposition to House Bill 1429 (HFA 1)

The Illinois State Association of Counties (ISACO) respectfully submits this testimony in opposition to House Amendment 1 to House Bill 1429.

While ISACO shares the sponsors' commitment to addressing the root causes of homelessness and expanding access to stable housing, we believe this legislation, as drafted, creates significant unfunded mandates, poses public health and safety risks, and severely limits the ability of local governments to manage public spaces effectively.

Our opposition is based on the following primary concerns:

1. Erosion of Local Control and Preemption of Home Rule HB 1429 explicitly preempts the authority of local governments and home rule units to regulate their own public property. Every county in Illinois faces unique geographic and socioeconomic challenges. A "one-size-fits-all" state mandate prevents local officials from tailoring ordinances that balance the needs of the unsheltered population with the rights of the general public to access safe, clean, and functional public parks, sidewalks, and government facilities.

2. Unrealistic Procedural Mandates The requirement to provide seven days' written notice before addressing an encampment, unless there is a high-threshold "imminent risk," is impractical. This mandate limits a county's ability to quickly address sanitation issues, biohazards, or the obstruction of public rights-of-way. Furthermore, the definition of "imminent risk" is so narrow that it excludes many common public safety concerns that do not yet reach the level of "immediate likelihood of death."

3. Unfunded Mandates for Social Services The bill requires local governments to make a "good faith effort" to provide or refer individuals to transportation and housing resources before any enforcement can occur. However, many counties, particularly in rural areas, may lack the necessary infrastructure, shelter beds, and transportation networks to fulfill this requirement. Without significant state funding to expand these services, this bill places a legal burden on local taxpayers.

4. Impact on Public Safety and Liability By creating a "necessity defense" and prohibiting fines or criminal penalties for "life-sustaining activities," the bill effectively legalizes the long-term occupation of public spaces. This creates significant liability concerns for counties regarding the safety of both the individuals in the encampments and the public attempting to use those spaces. If a county is unable to enforce basic loitering and storage laws, it loses its primary tool for ensuring that public property remains accessible and safe to all citizens.

5. Legal Ambiguity The broad definition of "life-sustaining activities" creates a legal gray area that will likely lead to costly litigation for counties. Defining "sleeping" and "storing personal property" as protected rights on *any* public property makes it nearly impossible for local law enforcement to distinguish between a temporary rest and a permanent, hazardous encampment.

The homelessness crisis is a humanitarian issue that requires a robust investment in mental health services, affordable housing, and supportive programs. However, HB 1429 focuses on restricting the tools of local government rather than providing the resources necessary to solve the problem.

For these reasons, ISACo urges a "no" vote on HB 1429. We remain ready to work with the committee and the sponsors on solutions that address housing insecurity without compromising the safety and functionality of our communities.