



Rep. Maurice A. West, II

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10400HB2495ham001

LRB104 11289 RTM 22851 a

1 AMENDMENT TO HOUSE BILL 2495

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2495 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title.

5 (a) This Act may be cited as the Private Swimming Pool  
6 Enclosure Act.

7 (b) This Act may be referred to as "Zoe's Law".

8 Section 5. Definition. As used in this Act, "swimming  
9 pool" means an outdoor artificial basin of water that is  
10 constructed, modified, improved, or installed in or above the  
11 ground of private residential property for the purpose of  
12 swimming or wading and that has a depth of more than 24 inches  
13 covering more than 25 square feet or that has a capacity of  
14 more than 200 gallons of water. "Swimming pool" includes only  
15 swimming pools intended for the use of the owner and guests.  
16 "Swimming pool" does not include (i) swimming pools subject to

1 the Swimming Pool and Bathing Beach Act or the Swimming Pool  
2 Safety Act; (ii) above ground pools with a height of 42 or more  
3 inches; or (iii) jacuzzis.

4 Section 10. Barrier required. A protective fence, wall,  
5 or other effective permanent barrier shall completely enclose  
6 the perimeter of a swimming pool the construction or  
7 installation of which is completed on or after the effective  
8 date of this Act. The fence, wall, or other barrier shall be at  
9 least 42 inches in height with openings not more than 2 inches  
10 from the bottom to grade and not more than 4 inches within the  
11 wall, fence, or barrier.

12 Section 15. Local regulation.

13 (a) Nothing in this Act prohibits a unit of local  
14 government from regulating the enclosure of swimming pools,  
15 the construction or installation of which is completed on or  
16 after the effective date of this Act, in a more restrictive  
17 manner. Nothing in this Act prohibits a unit of local  
18 government from regulating the enclosure of swimming pools,  
19 the construction or installation of which is completed before  
20 the effective date of this Act, in an inconsistent manner.

21 (b) No person may install or construct a swimming pool  
22 without a permit issued by the (i) the municipality in which  
23 the swimming pool is located or (ii) the county in which the  
24 swimming pool is located if the swimming pool is not located in

1 a municipality. By January 1, 2027, each municipality and each  
2 county shall, by ordinance or resolution, develop a process to  
3 provide for the issuance of permits to construct or install  
4 swimming pools.

5 (c) All permitted swimming pools shall have enclosures  
6 inspected by the permitting unit of local government before  
7 the receipt of an initial permit and at least once every 5  
8 years thereafter.

9 Section 20. Home rule. A home rule unit may not regulate  
10 the enclosure of swimming pools, the construction or  
11 installation of which is completed on or after the effective  
12 date of this Act, in a manner less restrictive than the  
13 regulation by the State of the enclosure of those swimming  
14 pools under this Act. This Section is a limitation under  
15 subsection (i) of Section 6 of Article VII of the Illinois  
16 Constitution on the concurrent exercise by home rule units of  
17 powers and functions exercised by the State.

18 Section 105. The Counties Code is amended by changing  
19 Section 5-1066 as follows:

20 (55 ILCS 5/5-1066) (from Ch. 34, par. 5-1066)

21 Sec. 5-1066. Artificial basins of water used for swimming  
22 or wading. Subject to the Private Swimming Pool Enclosure Act,  
23 the county board may prescribe rules and regulations for the

1 construction of privately owned artificial basins of water  
2 used for swimming or wading, which use or need external  
3 buttresses or which are dug into the ground, located on  
4 private residential property and intended for the use of the  
5 owner and guests. The county shall, however, exempt all  
6 municipalities located wholly or partly within the county  
7 where the municipal building code is equal to or of higher  
8 standard than the county regulation and where the local  
9 authorities are enforcing the municipal building code.

10 (Source: P.A. 86-962.)

11 Section 110. The Illinois Municipal Code is amended by  
12 changing Section 11-30-9 as follows:

13 (65 ILCS 5/11-30-9) (from Ch. 24, par. 11-30-9)

14 Sec. 11-30-9. Artificial basins of water. Subject to the  
15 Private Swimming Pool Enclosure Act, the corporate authorities  
16 may prescribe rules and regulations for the construction of  
17 privately owned artificial basins of water used for swimming  
18 or wading, which use or need external buttresses or which are  
19 dug into the ground, located on private residential property  
20 and intended for the use of the owner and guests.

21 The corporate authorities may by ordinance require the  
22 construction of fences around or protective covers over  
23 previously constructed artificial basins of water dug in the  
24 ground and used for swimming or wading, which are located on

1 private residential property and intended for the use of the  
2 owner and guests.  
3 (Source: P.A. 86-1470.)".