



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5678

by Rep. Brent Hassert

SYNOPSIS AS INTRODUCED:

70 ILCS 2205/19.5 new
70 ILCS 2305/16.5 new
70 ILCS 2405/13.5 new
70 ILCS 2605/37 new
70 ILCS 2805/24a new
70 ILCS 2905/2-11 new
70 ILCS 3020/25 new

Amends the Sanitary District Act of 1907, the North Shore Sanitary District Act, the Sanitary District Act of 1917, the Metropolitan Water Reclamation District Act, the Sanitary District Act of 1936, the Metro-East Sanitary District Act of 1974, and the Eastern Will Sanitary District Act. Unless otherwise agreed by the parties, requires a sanitary district that locates its facilities within the railroad right-of-way for a crossing, other than a crossing along the public roads of this State pursuant to the Telephone Line Right of Way Act, to pay the railroad a one-time standard crossing fee of \$750 for each crossing. Provides that the standard crossing fee is in lieu of any license or any other fees or charges to reimburse the railroad for its direct expenses incurred as a result of the crossing. Requires the district to also reimburse the railroad for any actual flagging expenses associated with the crossing in addition to the standard crossing fee. Effective immediately.

LRB095 17327 HLH 43396 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Sanitary District Act of 1907 is amended by
5 adding Section 19.5 as follows:

6 (70 ILCS 2205/19.5 new)

7 Sec. 19.5. Standard crossing fee. Unless otherwise agreed
8 by the parties, a sanitary district that locates its facilities
9 within the railroad right-of-way for a crossing, other than a
10 crossing along the public roads of the State pursuant to the
11 Telephone Line Right of Way Act, shall pay the railroad a
12 one-time standard crossing fee of \$750 for each crossing. The
13 standard crossing fee is in lieu of any license or any other
14 fees or charges to reimburse the railroad for the direct
15 expenses incurred by the railroad as a result of the crossing.
16 The district shall also reimburse the railroad for any actual
17 flagging expenses associated with a crossing in addition to the
18 standard crossing fee.

19 Section 10. The North Shore Sanitary District Act is
20 amended by adding Section 16.5 as follows:

21 (70 ILCS 2305/16.5 new)

1 Sec. 16.5. Standard crossing fee. Unless otherwise agreed
2 by the parties, a sanitary district that locates its facilities
3 within the railroad right-of-way for a crossing, other than a
4 crossing along the public roads of the State pursuant to the
5 Telephone Line Right of Way Act, shall pay the railroad a
6 one-time standard crossing fee of \$750 for each crossing. The
7 standard crossing fee is in lieu of any license or any other
8 fees or charges to reimburse the railroad for the direct
9 expenses incurred by the railroad as a result of the crossing.
10 The district shall also reimburse the railroad for any actual
11 flagging expenses associated with a crossing in addition to the
12 standard crossing fee.

13 Section 15. The Sanitary District Act of 1917 is amended by
14 adding Section 13.5 as follows:

15 (70 ILCS 2405/13.5 new)

16 Sec. 13.5. Standard crossing fee. Unless otherwise agreed
17 by the parties, a sanitary district that locates its facilities
18 within the railroad right-of-way for a crossing, other than a
19 crossing along the public roads of the State pursuant to the
20 Telephone Line Right of Way Act, shall pay the railroad a
21 one-time standard crossing fee of \$750 for each crossing. The
22 standard crossing fee is in lieu of any license or any other
23 fees or charges to reimburse the railroad for the direct
24 expenses incurred by the railroad as a result of the crossing.

1 The district shall also reimburse the railroad for any actual
2 flagging expenses associated with a crossing in addition to the
3 standard crossing fee.

4 Section 20. The Metropolitan Water Reclamation District
5 Act is amended by adding Section 37 as follows:

6 (70 ILCS 2605/37 new)

7 Sec. 37. Standard crossing fee. Unless otherwise agreed by
8 the parties, a sanitary district that locates its facilities
9 within the railroad right-of-way for a crossing, other than a
10 crossing along the public roads of the State pursuant to the
11 Telephone Line Right of Way Act, shall pay the railroad a
12 one-time standard crossing fee of \$750 for each crossing. The
13 standard crossing fee is in lieu of any license or any other
14 fees or charges to reimburse the railroad for the direct
15 expenses incurred by the railroad as a result of the crossing.
16 The district shall also reimburse the railroad for any actual
17 flagging expenses associated with a crossing in addition to the
18 standard crossing fee.

19 Section 25. The Sanitary District Act of 1936 is amended by
20 adding Section 24a as follows:

21 (70 ILCS 2805/24a new)

22 Sec. 24a. Standard crossing fee. Unless otherwise agreed by

1 the parties, a sanitary district that locates its facilities
2 within the railroad right-of-way for a crossing, other than a
3 crossing along the public roads of the State pursuant to the
4 Telephone Line Right of Way Act, shall pay the railroad a
5 one-time standard crossing fee of \$750 for each crossing. The
6 standard crossing fee is in lieu of any license or any other
7 fees or charges to reimburse the railroad for the direct
8 expenses incurred by the railroad as a result of the crossing.
9 The district shall also reimburse the railroad for any actual
10 flagging expenses associated with a crossing in addition to the
11 standard crossing fee.

12 Section 30. The Metro-East Sanitary District Act of 1974 is
13 amended by adding Section 2-11 as follows:

14 (70 ILCS 2905/2-11 new)

15 Sec. 2-11. Standard crossing fee. Unless otherwise agreed
16 by the parties, a sanitary district that locates its facilities
17 within the railroad right-of-way for a crossing, other than a
18 crossing along the public roads of the State pursuant to the
19 Telephone Line Right of Way Act, shall pay the railroad a
20 one-time standard crossing fee of \$750 for each crossing. The
21 standard crossing fee is in lieu of any license or any other
22 fees or charges to reimburse the railroad for the direct
23 expenses incurred by the railroad as a result of the crossing.
24 The district shall also reimburse the railroad for any actual

1 flagging expenses associated with a crossing in addition to the
2 standard crossing fee.

3 Section 35. The Eastern Will Sanitary District Act is
4 amended by adding Section 25 as follows:

5 (70 ILCS 3020/25 new)

6 Sec. 25. Standard crossing fee. Unless otherwise agreed by
7 the parties, a sanitary district that locates its facilities
8 within the railroad right-of-way for a crossing, other than a
9 crossing along the public roads of the State pursuant to the
10 Telephone Line Right of Way Act, shall pay the railroad a
11 one-time standard crossing fee of \$750 for each crossing. The
12 standard crossing fee is in lieu of any license or any other
13 fees or charges to reimburse the railroad for the direct
14 expenses incurred by the railroad as a result of the crossing.
15 The district shall also reimburse the railroad for any actual
16 flagging expenses associated with a crossing in addition to the
17 standard crossing fee.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.