

HB2454



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2454

Introduced 2/4/2025, by Rep. Maura Hirschauer

SYNOPSIS AS INTRODUCED:

745 ILCS 10/3-102

from Ch. 85, par. 3-102

Amends the Local Governmental and Governmental Employees Tort Immunity Act. Provides that a person operating a bicycle is deemed to be an intended user of every roadway and portion of roadway on which bicyclists are permitted to ride.

LRB104 08997 JRC 19053 b

A BILL FOR

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Local Governmental and Governmental
5 Employees Tort Immunity Act is amended by changing Section
6 3-102 as follows:

7 (745 ILCS 10/3-102) (from Ch. 85, par. 3-102)

8 Sec. 3-102. (a) Except as otherwise provided in this
9 Article, a local public entity has the duty to exercise
10 ordinary care to maintain its property in a reasonably safe
11 condition for the use in the exercise of ordinary care of
12 people whom the entity intended and permitted to use the
13 property in a manner in which and at such times as it was
14 reasonably foreseeable that it would be used, and shall not be
15 liable for injury unless it is proven that it has actual or
16 constructive notice of the existence of such a condition that
17 is not reasonably safe in reasonably adequate time prior to an
18 injury to have taken measures to remedy or protect against
19 such condition. A person operating a bicycle is deemed to be an
20 intended user of every roadway and portion of roadway on which
21 bicyclists are permitted to ride.

22 (b) A public entity does not have constructive notice of a
23 condition of its property that is not reasonably safe within

1 the meaning of Section 3-102(a) if it establishes either:

2 (1) The existence of the condition and its character of
3 not being reasonably safe would not have been discovered by an
4 inspection system that was reasonably adequate considering the
5 practicability and cost of inspection weighed against the
6 likelihood and magnitude of the potential danger to which
7 failure to inspect would give rise to inform the public entity
8 whether the property was safe for the use or uses for which the
9 public entity used or intended others to use the public
10 property and for uses that the public entity actually knew
11 others were making of the public property or adjacent
12 property; or

13 (2) The public entity maintained and operated such an
14 inspection system with due care and did not discover the
15 condition.

16 (Source: P.A. 84-1431.)