



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4622

Introduced 2/3/2026, by Rep. Charles Meier

SYNOPSIS AS INTRODUCED:

740 ILCS 185/8 new

Amends the Wrongful Tree Cutting Act. Provides that if a tree along a fence line abutting a roadway is on a property that was formerly used as farm land and is now owned or managed by the Department of Transportation and encroaches onto, over, or beneath a neighboring parcel that is currently used for farming, the parcel owner may petition the Department of Transportation to remove the tree if the tree's growth is affecting crop growth or otherwise hindering the parcel owner's economic use of the land to the extent that the problem can only be effectively remediated by removing the tree. Permits the neighboring parcel owner to remove the tree at the parcel owner's own expense without any obligation to compensate the Department of Transportation for the tree's removal if the Department of Transportation does not either remove the tree, grant the neighboring parcel owner permission to remove the tree, or explain in writing why the tree cannot in good faith be removed within 60 days. Provides that if the Department of Transportation cannot in good faith remove the tree within 60 days, the maximum delay allowed is an additional 60 days for it to remove the tree. Provides that if a neighboring parcel owner has been given authority to remove a tree, the parcel owner is immune from a claim of damages to the property, except in the cases of gross negligence or willful or wanton misconduct.

LRB104 17649 JRC 31080 b

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 Wrongful Tree Cutting Act is amended by
5 adding Section 8 as follows:

6 (740 ILCS 185/8 new)

7 Sec. 8. State tree encroaching on neighboring farmland.

8 (a) If a tree along a fence line abutting a roadway is on a
9 property that was formerly used as farm land and is now owned
10 or managed by the Department of Transportation and encroaches
11 onto, over, or beneath a neighboring parcel that is currently
12 used for farming, the parcel owner may petition the Department
13 of Transportation to remove the tree if the tree's growth is
14 affecting crop growth or otherwise hindering the parcel
15 owner's economic use of the land to the extent that the problem
16 can only be effectively remediated by removing the tree.

17 (b) The neighboring parcel owner is permitted to remove
18 the tree at the parcel owner's own expense without any
19 obligation to compensate the Department of Transportation for
20 the tree's removal if, within 60 days of a request made under
21 this Section, the Department of Transportation does not either
22 remove the tree, grant the neighboring parcel owner permission
23 to remove the tree, or explain in writing why the tree cannot

1 in good faith be removed within 60 days. If the Department of
2 Transportation cannot in good faith remove the tree within 60
3 days, the maximum delay allowed is an additional 60 days for it
4 to remove the tree.

5 (c) If a neighboring parcel owner has been given authority
6 to remove a tree under this Section, the parcel owner is immune
7 from a claim of damages to the property, except in the cases of
8 gross negligence or willful or wanton misconduct.