



Sen. Mike Porfirio

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10400SB2808sam001

LRB104 16795 AAS 35333 a

1 AMENDMENT TO SENATE BILL 2808

2 AMENDMENT NO. _____. Amend Senate Bill 2808 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Electric Transmission Colocation and Siting Priority Act.

6 Section 5. Definitions.As used in this Section:

7 "Authority" means the Illinois State Toll Highway
8 Authority.

9 "Commission" means the Illinois Commerce Commission.

10 "Department" means the Illinois Department of
11 Transportation.

12 "Electric transmission facility" means an electrical
13 transmission system designed and constructed with the
14 capability of being safely and reliably energized at 69
15 kilovolts or more, including transmission lines, transmission
16 towers, conductors, insulators, foundations, grounding

1 systems, access roads, and all associated transmission
2 facilities, including transmission substations. "Electric
3 transmission facility" does not include a project located on
4 the electric generating side of a facility's point of
5 interconnection.

6 "Highway" has the meaning given to that term in Section
7 2-202 of the Illinois Highway Code.

8 "High-voltage transmission line" means any line for the
9 transmission of electric current with a nominal voltage of at
10 least 115 kilovolts that is colocated longitudinally in a
11 public right-of-way or a corridor, including all supporting
12 structures and accessories necessary for such line.
13 "High-voltage transmission line" does not include any line for
14 the transmission of electric current that crosses through but
15 is not wholly contained within a State highway right-of-way.

16 "Public utility" has the meaning given to that term in
17 Section 3-105 of the Public Utilities Act.

18 "Public utility corridor" means the land, or interest
19 therein, acquired for or devoted to a public utility to place
20 and maintain infrastructure for electricity, water, gas, or
21 Internet service.

22 "Secretary" means the Secretary of Transportation.

23 "State highway corridor" means the land, or interest
24 therein, acquired for or devoted to a State highway.

25 "Transmission developer" means any company that (i) has
26 been issued a certificate of public convenience and necessity

1 in this State that authorizes the company to own and operate an
2 electric transmission line and (ii) is a State electric
3 utility, as defined in Section 16-102 of the Public Utilities
4 Act, or an affiliate of a State electric utility through a
5 common ownership structure.

6 Section 10. Electric transmission siting priorities.

7 (a) In the siting of new electric transmission facilities,
8 including high-voltage transmission lines, available corridors
9 shall be considered in the following order of priority:

10 (1) Existing public utility corridors.

11 (2) State highway corridors.

12 (3) New corridors.

13 (b) Consideration of the corridors listed in subsection
14 (a) shall be done, to the greatest extent possible, in a manner
15 that accounts for economic and engineering considerations, the
16 reliability of the electric system, and the protection of the
17 environment. The order of priority under subsection (a) shall
18 not apply to projects that have been sited on or before the
19 effective date of this Act.

20 Section 15. High-voltage transmission line collocation
21 requests.

22 (a) A public utility or transmission developer may
23 construct, place, or maintain a high-voltage transmission line
24 on a public right-of-way or along a highway if (i) the public

1 utility or transmission developer submits to the Secretary or
2 the Authority a colocation request for the high-voltage
3 transmission line and (ii) the Secretary or the Authority
4 reviews and approves the colocation request.

5 (b) The Secretary or the Authority may deny a colocation
6 request under this Section if the Secretary or the Authority
7 determines that the construction, placement, or maintenance of
8 a high-voltage transmission line on a public right-of-way or
9 along a highway would endanger public safety or would
10 interfere with the proper function of the highway.

11 (c) If the Secretary or the Authority denies a colocation
12 request under this Section, the Secretary or the Authority
13 shall submit the reasons for the denial to the Director of the
14 Environmental Protection Agency, the Executive Director of the
15 Commission, and the Director of Commerce and Economic
16 Opportunity within 90 days after the issuance of the denial.

17 Section 20. Consultation and constructability report.

18 (a) A public utility or transmission developer may submit
19 a written request to the Department or the Authority for an
20 evaluation of the corridors described in subsection (a) of
21 Section 10 for possible locations for a high-voltage
22 transmission line. Within 30 days after receipt of a written
23 request under this subsection (a), the Secretary or the
24 Authority shall assign a project coordinator to the request. A
25 project coordinator, upon assignment to a request, shall begin

1 the evaluation in coordination with the applicable public
2 utility or transmission developer.

3 (b) The Department or the Authority shall inform a public
4 utility or transmission developer about any of the
5 Department's or the Authority's current plans or projects that
6 could impact the public utility's or transmission developer's
7 potential construction or placement of a high-voltage
8 transmission line within a corridor.

9 (c) After an evaluation under subsection (a) identifies an
10 acceptable location within a corridor, a public utility or
11 transmission developer, in consultation with the Department or
12 the Authority, shall develop a constructability report. The
13 constructability report shall include (i) the terms and
14 conditions for the siting of the high-voltage transmission
15 line and (ii) an agreed-upon time frame during which the
16 Department or the Authority may not request the relocation of
17 the high-voltage transmission line. The Department or the
18 Authority shall issue a permit to the public utility or
19 transmission developer for the use of a public right-of-way
20 within the corridor for the siting of a high-voltage
21 transmission line only after a constructability report is
22 approved by both the Department or the Authority and the
23 public utility or transmission developer.

24 (d) A public utility or transmission developer and the
25 Department or the Authority shall follow the terms and
26 conditions of the approved constructability report during the

1 planning and approval process for the siting of a high-voltage
2 transmission line. If the Department or the Authority requires
3 the relocation of a high-voltage transmission line on a public
4 right-of-way by a specific date, the Department or the
5 Authority shall give the applicable public utility or
6 transmission developer notice of the required relocation at
7 the time the Department or the Authority becomes aware of the
8 need for the relocation.

9 Section 25. Project labor agreements. Electric
10 transmission facilities constructed or placed on a public
11 right-of-way or along a highway in accordance with this Act
12 shall be built by general contractors who have entered into a
13 project labor agreement prior to construction.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law."