



Sen. Steve Stadelman

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10400SB3922sam001

LRB104 19421 AAS 37104 a

1 AMENDMENT TO SENATE BILL 3922

2 AMENDMENT NO. _____. Amend Senate Bill 3922 on page 59,
3 by replacing lines 9 through 22 with the following:

4 "than specified in this Section or requirements that are not
5 specified in this Section. A county may also regulate the
6 siting of commercial wind energy facilities with standards
7 that may include any of the requirements specified in this
8 Section but may not include requirements for the siting of
9 commercial wind energy facilities that are more restrictive
10 than specified in this Section or requirements that are not
11 specified in this Section ~~that are not more restrictive than~~
12 ~~the requirements specified in this Section~~ in unincorporated
13 areas of the county that are outside the zoning jurisdiction
14 of a municipality and that are outside the 1.5-mile radius
15 surrounding the zoning jurisdiction of a municipality. A
16 county may also regulate the siting of commercial solar energy
17 facilities with standards that may include any of the
18 requirements specified in this Section but may not include

1 requirements for the siting of commercial solar energy
2 facilities that are more restrictive than specified in this
3 Section or requirements that are not specified in this Section
4 ~~that are not more restrictive than the requirements specified~~
5 ~~in this Section~~ in unincorporated areas of the county that are
6 outside of the zoning jurisdiction of a municipality."; and

7 on page 76, line 12, after "by", by inserting "Public Act
8 104-458 and"; and

9 on page 76, line 18, after "20-140,", by inserting "23-110,";
10 and

11 on page 97, lines 21 and 22, by replacing "this amendatory Act
12 of the 104th General Assembly" with "Public Act 104-458 ~~this~~
13 ~~amendatory Act of the 104th General Assembly~~"; and

14 on page 98, line 6, after "kilowatts", by inserting
15 "alternating current (AC)"; and

16 on page 106, line 26, after "dispatch", by inserting "under
17 the scheduled dispatch virtual power plant program, any
18 successor program, or any program authorized pursuant to
19 Section 16-107.9"; and

20 on page 133, immediately below line 19, by inserting the

1 following:

2 "(220 ILCS 5/23-110)

3 (This Section may contain text from a Public Act with a
4 delayed effective date)

5 Sec. 23-110. Definitions. In this Article:

6 "Applicable State siting law" means Section 5-12020 of the
7 Counties Code for commercial wind energy facilities and
8 commercial solar energy facilities and means Section 5-12024
9 of the Counties Code for energy storage system facilities

10 "Commercial solar energy facility" has the meaning given
11 to that term in subsection (a) of Section 5-12020 of the
12 Counties Code. "Commercial solar energy facility" includes
13 supporting facilities, as defined in subsection (a) of Section
14 5-12020 of the Counties Code.

15 "Commercial wind energy facility" has the meaning given to
16 that term in subsection (a) of Section 5-12020 of the Counties
17 Code. "Commercial wind energy facility" includes supporting
18 facilities, as defined in subsection (a) of Section 5-12020 of
19 the Counties Code.

20 "Energy storage system facility" has the meaning given to
21 that term in Section 5-12024 of the Counties Code. "Energy
22 storage system facility" includes supporting facilities, as
23 defined in subsection (a) of Section 5-12024 of the Counties
24 Code.

25 "Facility owner" means the owner of or an applicant for a

1 qualified energy facility.

2 "Qualified energy facility" means any one or more of the
3 following that has a nameplate capacity of 50 megawatts or
4 greater and is located in an unincorporated area not within
5 the corporate limits ~~zoning jurisdiction~~ of an incorporated
6 municipality: a commercial wind energy facility, a commercial
7 solar energy facility, or an energy storage system facility.

8 "Respondent" means the county, municipality, township,
9 road district, or other unit of local government whose action
10 or inaction is the subject of the dispute.

11 (Source: P.A. 104-458, eff. 6-1-26.); and

12 on page 134, line 2, after "law", by inserting "or to determine
13 the reasonableness of a municipality's exercise of zoning
14 authority with respect to a qualified energy facility outside
15 of the municipality's corporate limits in accordance with
16 Section 11-13-1 of the Illinois Municipal Code"; and

17 on page 134, line 4, after "first", by inserting "(i)"; and

18 on page 134, line 6, by replacing "law and" with "law, (ii)
19 notified the municipality of the unreasonableness of the
20 municipality's zoning determination with respect to a
21 qualified energy facility outside of the municipality's
22 corporate limits, and (iii)"; and

1 on page 134, line 13, by replacing "subdivision (c)(7)" with
2 "paragraph (7) of subsection (c) ~~subdivision (c)(7)~~"; and

3 on page 134, line 18, after "law", by inserting "or alleging
4 the unreasonableness of a municipality's zoning determination
5 with respect to a qualified energy facility outside of the
6 municipality's corporate limits"; and

7 on page 136, line 6, after "found", by inserting "or a
8 municipality's zoning determination is found to be
9 unreasonable"; and

10 on page 136, line 23, after "law", by inserting "and the
11 State's clean energy goals, including, but not limited to,
12 goals described in the Illinois Power Agency Act"; and

13 by replacing line 24 on page 136 through line 6 on page 137
14 with the following:

15 (e) In resolving disputes under this Section, the
16 Commission shall have authority to issue a siting certificate
17 for a qualified energy facility if the Commission determines
18 that the qualified energy facility is in compliance with the
19 applicable State siting law for a qualified energy facility
20 and that the respondent:

21 (1) ~~the respondent denied~~ has not issued the qualified
22 energy facility a siting certificate; or ~~and~~

1 (2) did not have a siting or zoning ordinance in
2 compliance with the applicable State siting law as of the
3 date the petition was filed ~~the qualified energy facility~~
4 ~~is in compliance with the applicable State siting laws for~~
5 ~~a qualified energy facility."~~.