



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB4002

Introduced 2/6/2026, by Sen. Chapin Rose

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-12025 new
60 ILCS 1/110-85 new
65 ILCS 5/11-13-30 new

Amends the Counties Code, the Township Code, and the Illinois Municipal Code. Provides that a commercial solar energy facility, commercial wind energy facility, or energy storage facility may not be constructed in a county, a township, or within 1.5 miles of a municipality unless the facility has the approval of (1) the county board of the county or, if the facility is located in Cook County, the Cook County Board of Commissioners; (2) if the facility would be located within a township, the township board of trustees; and (3) if the facility would be located within a municipality, the corporate authorities of the municipality. Effective immediately.

LRB104 18103 RTM 31542 b

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 Counties Code is amended by adding Section
5 5-12025 as follows:

6 (55 ILCS 5/5-12025 new)

7 Sec. 5-12025. New commercial solar energy facilities,
8 commercial wind energy facilities, and energy storage
9 facilities.

10 (a) As used in this Section:

11 "Commercial solar energy facility" has the meaning given
12 to that term in Section 5-12020.

13 "Commercial wind energy facility" has the meaning given to
14 that term in Section 5-12020.

15 "Energy storage system" has the meaning given to that term
16 in Section 5-12024.

17 (b) Notwithstanding any other law, a commercial solar
18 energy facility, commercial wind energy facility, or energy
19 storage facility may not be constructed in a county unless the
20 facility has the approval of:

21 (1) the county board of the county or, if the facility
22 is in Cook County, the Cook County Board of Commissioners;

23 (2) if the facility would be located within a

1 township, the township board of trustees; and
2 (3) if the facility would be located within one and
3 one-half miles of a municipality, the township board of
4 trustees the municipality.

5 Section 10. The Township Code is amended by adding Section
6 110-85 as follows:

7 (60 ILCS 1/110-85 new)

8 Sec. 110-85. New commercial solar energy facilities,
9 commercial wind energy facilities, and energy storage
10 facilities.

11 (a) As used in this Section:

12 "Commercial solar energy facility" has the meaning given
13 to that term in Section 5-12020.

14 "Commercial wind energy facility" has the meaning given to
15 that term in Section 5-12020.

16 "Energy storage system" has the meaning given to that term
17 in Section 5-12024.

18 (b) Notwithstanding any other law, a commercial solar
19 energy facility, commercial wind energy facility, or energy
20 storage facility may not be constructed in a county unless the
21 facility has the approval of:

22 (1) the county board of the county or, if the facility
23 is in Cook County the Cook County Board of Commissioners;

24 (2) if the facility would be located within a

1 township, the township board of trustees; and
2 (3) if the facility would be located within one and
3 one-half miles of a municipality, the corporate authorizes
4 of the municipality.

5 Section 15. The Illinois Municipal Code is amended by
6 adding Section 11-13-30 as follows:

7 (65 ILCS 5/11-13-30 new)

8 Sec. 11-13-30. New commercial solar energy facilities,
9 commercial wind energy facilities, and energy storage
10 facilities.

11 (a) As used in this Section:

12 "Commercial solar energy facility" has the meaning given
13 to that term in Section 5-12020.

14 "Commercial wind energy facility" has the meaning given to
15 that term in Section 5-12020.

16 "Energy storage system" has the meaning given to that term
17 in Section 5-12024.

18 (b) Notwithstanding any other law, a commercial solar
19 energy facility, commercial wind energy facility, or energy
20 storage facility may not be constructed in a county unless the
21 facility has the approval of:

22 (1) the county board of the county or, if the facility
23 is in Cook County, the Cook County Board of Commissioners;

24 (2) if the facility would be located within a

1 township, the township board of trustees; and
2 (3) if the facility would be located within one and
3 one-half miles of a municipality, the corporate authorizes
4 of the municipality.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.