



Sen. Neil Anderson

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1 AMENDMENT TO SENATE BILL 3095

2 AMENDMENT NO. _____. Amend Senate Bill 3095 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Weather Modification Act.

6 Section 5. Definitions. In this Act:

7 "Weather modification" means any activity intended to
8 produce artificial changes in the composition, motions, and
9 resulting behavior of the atmosphere.

10 "Seeding" means a type of weather modification that aims
11 to change the amount or type of precipitation that falls from
12 clouds.

13 Section 10. Prohibition on weather modification. For the
14 health, public safety, and welfare of the State, all forms of
15 weather modification are prohibited in this State, including

1 the seeding of clouds by plane or ground, or any other form of
2 weather modification.

3 Section 15. Enforcement; penalties.

4 (a) Whenever a violation of Section 10 occurs or is likely
5 to occur, the presumption is created that immediate and
6 irreparable injury, loss, or damage will result from the
7 violation. If a violation of Section 10 occurs or is likely to
8 occur, a State's Attorney or the Attorney General shall seek
9 an injunction in a court of competent jurisdiction to prevent
10 injury, loss, and damage.

11 (b) Any person who knowingly engages in weather
12 modification is guilty of a Class 4 felony.

13 Section 900. The Property Tax Code is amended by changing
14 Sections 27-5, 27-30, and 27-60 as follows:

15 (35 ILCS 200/27-5)

16 Sec. 27-5. Short title; definitions. This Article may be
17 cited as the Special Service Area Tax Law.

18 When used in this Article:

19 "Services contract" means an agreement between a service
20 provider agency and a municipality or county for the purpose
21 of providing special services in and for a special service
22 area.

23 "Service provider agency" means an entity that enters into

1 a services contract with a municipality or county for the
2 purpose of providing special services in and for a special
3 service area.

4 "Special Service Area" means a contiguous area within a
5 municipality or county in which special governmental services
6 are provided in addition to those services provided generally
7 throughout the municipality or county, the cost of the special
8 services to be paid from revenues collected from taxes levied
9 or imposed upon property within that area. Territory shall be
10 considered contiguous for purposes of this Article even though
11 certain completely surrounded portions of the territory are
12 excluded from the special service area. A county may create a
13 special service area within a municipality or municipalities
14 when the municipality or municipalities consent to the
15 creation of the special service area. A municipality may
16 create a special service area within a municipality and the
17 unincorporated area of a county or within another municipality
18 when the county or other municipality consents to the creation
19 of the special service area.

20 "Special service area commission" means a local board
21 established by the corporate authorities of a municipality or
22 county for the purpose of managing a particular special
23 service area.

24 "Special Services" means all forms of services pertaining
25 to the government and affairs of the municipality or county,
26 including but not limited to ~~weather modification and~~

1 improvements permissible under Article 9 of the Illinois
2 Municipal Code, and contracts for the supply of water as
3 described in Section 11-124-1 of the Illinois Municipal Code
4 which may be entered into by the municipality or by the county
5 on behalf of a county service area.

6 (Source: P.A. 99-930, eff. 1-20-17.)

7 (35 ILCS 200/27-30)

8 Sec. 27-30. Manner of notice. Prior to or within 60 days
9 after the adoption of the ordinance proposing the
10 establishment of a special service area the municipality or
11 county shall fix a time and a place for a public hearing. The
12 public hearing shall be held not less than 60 days after the
13 adoption of the ordinance proposing the establishment of a
14 special service area. Notice of the hearing shall be given by
15 publication and mailing, ~~except that notice of a public~~
16 ~~hearing to propose the establishment of a special service area~~
17 ~~for weather modification purposes may be given by publication~~
18 ~~only~~. Notice by publication shall be given by publication at
19 least once not less than 15 days prior to the hearing in a
20 newspaper of general circulation within the municipality or
21 county. Notice by mailing shall be given by depositing the
22 notice in the United States mails addressed to the person or
23 persons in whose name the general taxes for the last preceding
24 year were paid on each property lying within the special
25 service area. A notice shall be mailed not less than 10 days

1 prior to the time set for the public hearing. In the event
2 taxes for the last preceding year were not paid, the notice
3 shall be sent to the person last listed on the tax rolls prior
4 to that year as the owner of the property.

5 (Source: P.A. 97-1053, eff. 1-1-13.)

6 (35 ILCS 200/27-60)

7 Sec. 27-60. Petition for disconnection from special
8 service area.

9 (a) Any territory located within the boundaries of any
10 special service area organized under this Article, ~~other than~~
11 ~~a special service area for weather modification,~~ may become
12 disconnected from the area in the manner provided in this
13 Section.

14 (b) A majority of the resident electors and a majority of
15 the record owners of land in the territory sought to be
16 disconnected from the area may sign a petition. The petition
17 shall be addressed to the circuit court and shall contain a
18 definite description of the boundaries of the territory and
19 recite as a fact, that as of the date the petition is filed,
20 the territory was not, is not, and is not intended by the
21 corporate authority which created the special service area to
22 be, either benefited or served by any work or services either
23 then existing or then authorized by the special service area,
24 and that the territory constitutes less than 1 1/2% of the
25 special service area's total equalized assessed valuation.

1 (c) In addition, the corporate authorities of a
2 municipality in which a special service area, ~~other than a~~
3 ~~special service area for weather modification,~~ is located may
4 file a petition with the circuit court to disconnect territory
5 from the special service area. The petition shall contain a
6 definite description of the boundaries of the territory to be
7 disconnected and recite as a fact that, as of the date the
8 petition is filed, the territory was not, is not, and is not
9 intended by the corporate authority that created the special
10 service area to be either benefited or served by any work or
11 services either then existing or then authorized by the
12 special service area.

13 (Source: P.A. 96-1031, eff. 7-14-10.)

14 (35 ILCS 200/27-80 rep.)

15 (35 ILCS 200/27-85 rep.)

16 Section 905. The Property Tax Code is amended by repealing
17 Sections 27-80 and 27-85.

18 (55 ILCS 5/5-1100 rep.)

19 Section 910. The Counties Code is amended by repealing
20 Section 5-1100.

21 Section 915. The University of Illinois Scientific Surveys
22 Act is amended by changing Section 20 as follows:

1 (110 ILCS 425/20)

2 Sec. 20. General powers and duties. In addition to its
3 other powers and duties, the Board of Trustees shall have the
4 power to provide for the management and operation of the
5 Prairie Research Institute including, but not limited to, the
6 following powers and duties which shall be performed by the
7 Scientific Surveys:

8 (1) To investigate and study the natural and cultural
9 resources of the State and to prepare reports and furnish
10 information fundamental to the conservation and
11 development of natural and cultural resources, and, for
12 that purpose, the officers and employees thereof shall
13 have the authority to enter and cross all lands in this
14 State, doing no damage to private property.

15 (2) To collaborate with and advise departments having
16 administrative powers and duties relating to the natural
17 resources of the State, and to collaborate with similar
18 departments in other states and with the United States
19 Government.

20 (3) To conduct a natural history survey of the State,
21 giving preference to subjects of educational and
22 economical importance. The Illinois State Biologist shall
23 be an employee of the Illinois Natural History Survey.

24 (4) To investigate the entomology of the State. The
25 Illinois State Entomologist shall be an employee of the
26 Illinois Natural History Survey.

1 (5) To investigate all insects dangerous or injurious
2 to agricultural or horticultural plants and crops, to
3 livestock, to nursery trees and plants, to the products of
4 the truck farm and vegetable garden, to shade trees and
5 other ornamental vegetation of cities and villages, and to
6 the products of the mills and the contents of warehouses,
7 and all insects injurious or dangerous to the public
8 health.

9 (6) To study the geological formation of the State
10 with reference to its resources of coal, ores, clays,
11 building stones, cement, materials suitable for use in the
12 construction of the roads, gas, oil, mineral and artesian
13 water, aquifers and aquitards, and other resources and
14 products. The Illinois State Geologist shall be an
15 employee of the Illinois State Geological Survey.

16 (7) To cooperate with United States federal agencies
17 in the preparation of geological and land surface maps and
18 the collection, recording, and printing of water and
19 atmospheric resource data, including stream flow
20 measurements; to collect facts and data concerning the
21 volumes and flow of underground, surface, and atmospheric
22 waters of the State; and to determine the mineral and
23 chemical qualities of water from different geological
24 formations and surface and atmospheric waters for the
25 various sections of the State.

26 (8) To act as the central data repository and research

1 coordinator for the State in matters related to water and
2 atmospheric resources. ~~The Illinois State Water Survey of~~
3 ~~the University of Illinois may monitor and evaluate all~~
4 ~~weather modification operations in Illinois.~~ The Illinois
5 State Climatologist and the Illinois State Hydrologist
6 shall be employees of the Illinois State Water Survey.

7 (9) To provide the results of the investigations and
8 research in the field of natural science to the end that
9 the same may be distributed to the interested public.

10 (10) To perform all other duties and assume all
11 obligations of the Department of Natural Resources
12 pertaining to the Illinois State Water Survey, the
13 Illinois State Geological Survey, the Illinois Natural
14 History Survey, the Illinois Sustainable Technology
15 Center, and the Illinois State Archaeological Survey.

16 (11) To maintain all previously existing relationships
17 between the Illinois State Water Survey, the Illinois
18 State Geological Survey, the Illinois Natural History
19 Survey, the Illinois Sustainable Technology Center, and
20 the Illinois State Archaeological Survey and the public
21 and private colleges and universities in Illinois.

22 (12) To participate in federal and State geologic
23 mapping programs.

24 (13) To conduct educational programs to further the
25 exchange of information to reduce the generation of
26 hazardous wastes or to treat or dispose of such wastes so

1 as to make them nonhazardous.

2 (14) To provide a technical information service for
3 industries involved in the generation, treatment, or
4 disposal of hazardous wastes.

5 (15) To disseminate information regarding advances in
6 hazardous waste management technology and sustainability
7 practices that could both protect the environment and
8 further industrial productivity.

9 (16) To provide research in areas related to reduction
10 of the generation of hazardous wastes; treatment,
11 recycling and reuse; toxic pollution prevention; and other
12 issues that the Board may suggest. The Illinois Pollution
13 Prevention Scientist shall be an employee of the Illinois
14 Sustainable Technology Center.

15 (17) To investigate, preserve, and interpret the
16 archaeological heritage of this State within the contexts
17 of public needs and sustainable economic development
18 through scientific research, public service, education,
19 and outreach activities. The Illinois State Archaeologist
20 shall be an employee of the Illinois State Archeological
21 Survey.

22 (Source: P.A. 98-346, eff. 8-14-13.)

23 Section 999. Effective date. This Act takes effect upon
24 becoming law."