

1 AN ACT in relation to air transportation.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the
5 County Air Corridor Protection Act.

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

7 (a) "Air Installation Compatible Use Zone Study" means
8 the study conducted by the United States Air Force that
9 reaffirms the policy of promoting public health, safety, and
10 general welfare in the areas surrounding Air Force bases.

11 (b) "Clear zones and runway protection zones" mean the
12 zones that have the highest potential for an aircraft
13 accident among the safety zones designated by the United
14 States Air Force around an Air Force base.

15 (c) "Accident potential zones I" mean the zones that,
16 other than clear zones and runway protection zones, have the
17 highest potential for an aircraft accident among the safety
18 zones designated by the United States Air Force around an Air
19 Force base.

20 (d) "Accident potential zones II" mean the zones that,
21 other than clear zones and runway protection zones and
22 accident potential zones I, have the highest potential for an
23 aircraft accident among the safety zones established by the
24 United States Air Force around an Air Force base.

25 (e) "Sixty-five decibel A-weighted noise contour" means
26 the noise level that has been determined by the United States
27 Air Force to result from aircraft operations and flight
28 tracks around an Air Force base.

29 Section 10. County land use authority. Any county with a
30 United States Air Force installation with runways of at least

1 7,500 feet in length has the authority to protect the safety
2 of the community by controlling the use of land around that
3 installation, notwithstanding any ordinance of or authority
4 granted to any municipality. The county's land use authority
5 is limited to the area designated in the Air Installation
6 Compatible Use Zone Study adopted by the United States Air
7 Force for that installation and the runways it occupies or
8 uses.

9 Section 15. County eminent domain powers. If a land use
10 exists or a municipality approves a land use that is
11 incompatible with the Air Installation Compatible Use Zone
12 Study, and any portion of the affected land is within areas
13 designated in the Air Installation Compatible Use Zone Study
14 as clear zones and runway protection zones, accident
15 potential zones I, or accident potential zones II, or is
16 within the 65 decibel A-weighted noise contour, the county
17 may use eminent domain to acquire either the fee simple title
18 to that portion of the affected land or the easement rights
19 in that portion of the affected land that are necessary for
20 the compatible land use defined under the Air Installation
21 Compatible Use Zone Study. If a municipality within those
22 zones controls the use of land in a manner compatible with
23 the Air Installation Compatible Use Zone Study, the county
24 does not have eminent domain authority.

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.