



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1390

Introduced 2/14/2011, by

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-13-1.5 new

Amends the Illinois Municipal Code. Provides that a municipality shall not adopt or enforce an ordinance or resolution after the effective date of the amendatory Act that affects the placement, screening, or height of antennas or support structures that are used for amateur radio communications unless the ordinance or resolution: (i) has a reasonable and clearly defined aesthetic, public health, or safety objective and represents the minimum practical regulation that is necessary to accomplish the objectives; and (ii) reasonably accommodates amateur radio communications. Limits home rule powers. Effective immediately.

LRB097 07768 KMW 47880 b

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

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 Illinois Municipal Code is amended by adding
5 Section 11-13-1.5 as follows:

6 (65 ILCS 5/11-13-1.5 new)

7 Sec. 11-13-1.5. Amateur radio communications; antenna
8 regulations. Notwithstanding any provision of law to the
9 contrary, no ordinance or resolution may be adopted or enforced
10 by a municipality after the effective date of this amendatory
11 Act of the 97th General Assembly that affects the placement,
12 screening, or height of antennas or antenna support structures
13 that are used for amateur radio communications unless the
14 ordinance or resolution: (i) has a reasonable and clearly
15 defined aesthetic, public health, or safety objective and
16 represents the minimum practical regulation that is necessary
17 to accomplish the objectives; and (ii) reasonably accommodates
18 amateur radio communications.

19 A municipality may not regulate the antennas or antenna
20 support structures that are used for amateur radio
21 communications in a manner inconsistent with this Section. This
22 Section is a limitation under subsection (i) of Section 6 of
23 Article VII of the Illinois Constitution on the concurrent

1 exercise by home rule units of powers and functions exercised
2 by the State.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.