

# HB2295



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2295

by Rep. Jay Hoffman

### SYNOPSIS AS INTRODUCED:

620 ILCS 5/42.1

Amends the Illinois Aeronautics Act. Provides that the Department of Transportation, to the exclusion of all other government entities, may adopt any rules that it finds appropriate to address the safe and legal operation of unmanned aircraft systems in the State. Effective immediately.

LRB101 08609 TAE 53688 b

A BILL FOR

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Aeronautics Act is amended by  
5 changing Section 42.1 as follows:

6 (620 ILCS 5/42.1)

7 Sec. 42.1. Regulation of unmanned aircraft systems.

8 (a) As used in this Section:

9 "Unmanned aircraft" means a device used or intended to be  
10 used for flight in the air that is operated without the  
11 possibility of direct human intervention within or on the  
12 device.

13 "Unmanned aircraft system" means an unmanned aircraft and  
14 its associated elements, including communication links and the  
15 components that control the unmanned aircraft, that are  
16 required for the safe and efficient operation of the unmanned  
17 aircraft in the national airspace system.

18 (b) To the extent that State-level oversight does not  
19 conflict with federal laws, rules, or regulations, the  
20 regulation of an unmanned aircraft system is an exclusive power  
21 and function of the State. No unit of local government,  
22 including home rule unit, may enact an ordinance or resolution  
23 to regulate unmanned aircraft systems. This Section is a denial

1 and limitation of home rule powers and functions under  
2 subsection (h) of Section 6 of Article VII of the Illinois  
3 Constitution. This Section does not apply to any local  
4 ordinance enacted by a municipality of more than 1,000,000  
5 inhabitants.

6 (c) Nothing in this Section shall infringe or impede any  
7 current right or remedy available under existing State law.

8 (d) The Department of Transportation, to the exclusion of  
9 all other government entities, may adopt any rules that it  
10 finds appropriate to address the safe and legal operation of  
11 unmanned aircraft systems in this State, so that those engaged  
12 in the operation of unmanned aircraft systems may so engage  
13 with the least possible restriction, consistent with their  
14 safety and with the safety and the rights of others, and in  
15 compliance with federal rules and regulations.

16 (Source: P.A. 100-735, eff. 8-3-18.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.